

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

JOSEPH MALDONADO-PASSAGE

Joe Exotic,

vs.

**ROSALIND SARGENT-BURNS, IN
HER CAPACITY AS ACTING
PARDON ATTORNEY**

Defendant.

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CIV. NO. 4:20-CV-01339-P

1ST AMENDED COMPLAINT

1. Joe Exotic, Joseph Maldonado-Passage (commonly known as “Joe Exotic”), alleges as follows: Nature of the Claims

2. This is an action in the “nature of mandamus,” under 28 U.S.C. § 1361,¹ to “compel an officer of the United States to perform his [or her] duty.” Specifically, Joe Exotic seeks to require the United States Office of the Pardon Attorney to comply with its ministerial duty to submit a recommendation to the President of the United States regarding Joe Exotic’s application for pardon, so that the President can exercise his Constitutional discretion in determining whether to grant or deny application petition.

¹ Actions of this type are sometimes styled as petitions for writ of mandamus. However, writs of mandamus were abolished by the Federal Rules and replaced by an authorization to seek similar relief by an “appropriate action or motion” under the Federal Rules. *See* Fed. R. Civ. P. 81(b). Furthermore, even though 28 U.S.C. § 1361 is phrased in terms of mandamus, its liberalizing purpose was broader, to allow district courts the authority to grant appropriate corrective orders where an official is acting contrary to law. As such, Joe Exotic has styled his pleading as a “complaint” in accordance with Joe Exotic’s understanding of Rules 2, 3, and 7. *See* Fed. R. Civ. P. 2, 3, 7(a). If the Court believes this terminology, or any other technical aspect of the pleading, is in error, Joe Exotic trusts the Court will overlook the defect in accordance with Rule 61. *See* Fed. R. Civ. P. 61 (stating that a court “must disregard all errors and defects that do not affect any party’s substantial rights”).

3. Joe Exotic does not seek to influence the nature of the recommendation, but only to compel the Office of the Pardon Attorney to comply with its ministerial duties to provide notice and a recommendation to the President, and thus to allow the President to exercise his plenary power under the Constitution.

Parties

4. Joe Exotic is an individual residing in Fort Worth, Texas, at Federal Medical Center Fort Worth (“FMC”), Located at 3150 Horton Rd, Fort Worth, 76119; BOP Number: 26154-017.

5. Defendant, Rosalind Sargent-Burns is the Acting Pardon Attorney and is sued in her official capacity as head of the United States Office of the Pardon Attorney Jurisdiction and Venue

6. Jurisdiction is proper under 28 U.S.C. §§ 1331 and 1361.

7. Venue is proper under 28 U.S.C. 1391(e)(2)-(3), as the Joe Exotic resides in this district and a substantial part of the events or omissions giving rise to this action occurred in this district.

Factual and Legal Background

8. The United States Constitution provides that the President has sole discretion to “grant Reprieves and Pardons for Offences against the United States.” *See* U.S. Const. Art. II, § 2.

9. The Office of the Pardon Attorney was created to assist the President in the exercise of this function. *See* 28 CFR § 1.1, *et seq.* (containing procedures for pardon review); *see* 28 CFR § 1.9 (allowing the Attorney General to delegate his pardon duties to any officer of the department of justice).

10. In accordance with the Constitution, the Office of the Pardon Attorney does not have the authority to make the final decisions on any pardon application. Indeed, the Office of the Pardon Attorney concedes that the President alone has plenary discretion to grant or deny clemency, with or without the advice and assistance of the Pardon Attorney or other members of the Department of Justice.

11. To the contrary, the Office of the Pardon Attorney has a ministerial duty to make recommendations to the President for a final decision on all pardon applications.

(c) The [Pardon Attorney] shall review each petition and all pertinent information developed by the investigation and shall determine whether the request for clemency is of sufficient merit to warrant favorable action by the President. **The [Pardon Attorney] shall report in writing his or her recommendation to the President, stating whether in his or her judgment the President should grant or deny the petition.**

28 CFR § 1.6(c); *see also* 28 CFR § 1.9 (allowing the Attorney General to delegate his pardon duties to any officer of the department of justice).

12. In April 2019, Joe Exotic was convicted of alleged violations of 18 U.S.C. § 1958(a) and 16 U.S.C. §§ 1538, 1540, 3372-73.

13. Many people have come out and publicly expressed their disagreement with Joe Exotic's conviction and subsequent sentence. Among those, are members of the President's own family. Donald Trump Junior has been an advocate for Joe Exotic to be Pardoned. Others include, James Garretson, a government witness who testified against Joe Exotic. Post-Conviction Garretson believes the Government targeted Joe Exotic and that the sentence did not match the crime.

14. On or about September 8, 2020, Joe Exotic submitted a pardon application to the Office of the Pardon Attorney, along with a request for waiver of the time period described in 28 CFR 28 CFR § 1.2. **SEE EXHIBIT A. (Page 6)**

15. On September 10, 2020, the Office of the Pardon Attorney notified counsel via email that they were denying the request for the waiver, and that their decision was final. Although the email conceded that the President had the ultimate authority to make a decision on the pardon, the email nevertheless implied that the Office of the Pardon Attorney was not sending a recommendation to the President and instead was usurping the role of final decision maker on the pardon. **SEE EXHIBIT B. (Page 264)**

16. On September 29, 2020 counsel for Joe Exotic reminded the Office of the Pardon Attorney of the requirements of 28 C.F.R. § 1.6(c) and requested that it forward a recommendation to the President, to allow him to decide whether to follow the recommendation or to use his plenary power to issue a pardon. **SEE EXHIBIT C. (Page 269)** In response to this reminder via email, William Taylor, with the US Pardon Attorney Office, acknowledged the President's plenary power. However, the US Pardon Attorney Office has yet to forward the Pardon with a recommendation to the President. **SEE EXHIBIT D. (Page 273)**

17. The US Pardon Attorney Office has the ability to search the status of pending applications. A brief search on the U.S. Pardon Attorney website does not reflect that Joe Exotic ever filed a Pardon, or Commutation of Sentence. It does not appear that the application was even considered. **SEE EXHIBIT E. (PAGE 276)**

Claim

18. Joe Exotic incorporates and re-alleges the above allegations as if fully set forth herein.

19. Defendant had a clear, indisputable, non-discretionary obligation to provide the President of the United States with notice of Joe Exotic's petition for pardon and a recommendation thereon.

20. Joe Exotic, through counsel, requested that Defendant provide notice and a recommendation to the President. However, such request was refused, and Joe Exotic has no other adequate remedy at law.

21. Therefore, Joe Exotic is entitled to an order compelling Defendant to comply with the clear, indisputable, non-discretionary obligation to provide the President of the United States with notice of Joe Exotic's petition for pardon and a recommendation thereon.

Prayer

22. Pursuant to 28 U.S.C. § 1361, Joe Exotic requests that the Court issue an order compelling Defendant to promptly provide the President of the United States with notice of Joe Exotic's petition for pardon and a recommendation thereon.

23. Joe Exotic further requests that he be awarded such other and further relief, at law and in equity, both general and special, to which it may be justly entitled to receive.

Respectfully submitted,

Filed December , 2020

/s/ Francisco Hernandez
Francisco Hernandez
Texas Bar No. 09515950

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Email: francisco@texasmexicolaw.com
Counsel for Joe Exotic

EXHIBIT A

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

vs.

Joseph Maldonado-Passage

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Application No. _____

PETITION FOR PARDON

Joseph Maldonado-Passage respectfully petitions President Donald J. Trump to grant him a presidential pardon for his unjust and mishandled conviction.

All his life, Joseph has been an outspoken, unconventional, passionate entrepreneur and trail blazer. Unfortunately, Joe's story has a common theme to many passionate and successful people. He placed his trust in people he thought were his allies and now he is paying the price. At every turn each person Joe trusted only had their own self-interest and self-preservation in mind and ultimately betrayed him. All people are born sinners, and many try very hard to be good, unfortunately most do not. Joe learned this lesson and now faces many years in prison to contemplate the ramifications.

United States Constitution Article 2, Section 2, Clause I:

"...shall have Power to grant Reprieves and Pardons for Offenses against the United States, except in Cases of Impeachment."

"The United States Constitution grants the exclusive power to pardon federal offenses by the President of the United States (except in cases of impeachment; Article II, §II, Clause I).

The president cannot be restricted by Government bureaucrats or time constraints in exercising his right to perform a presidential pardon.

There are also no additional preconditions in President Trump's path in order to execute a pardon such as the one being requested. This is an authority solely possessed by himself.

Respectfully Submitted,

Joseph Maldonado-Passage

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**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

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Addendum No. ____

Joseph Maldonado-Passage

Executive Summary & Request for Waiver

Introduction

The life of Joseph Maldonado-Passage was center stage this spring as the country tuned into the Netflix docuseries *Tiger King*. While “Joe Exotic” entertained millions onscreen with his dramatic flair and larger than life persona, Joseph Maldonado-Passage was alone, wrongfully incarcerated, and grieving the loss of all that he loved—his animals, his family, and his freedom.

All his life, Joseph has been an outspoken, unconventional, passionate entrepreneur and trail blazer. Unfortunately, Joe’s trusting and selfless nature made him the perfect target. He entered a bad partnership with an opportunistic person and misplaced his trust in others who were more concerned about their own self-interests and self-preservation. He was railroaded and betrayed, repeatedly.

Joseph has and will continue to maintain his innocence for the crimes that landed him a 22-year sentence. Those who know him personally attest that Joe is

incapable of committing these crimes, and the evidence (or lack thereof) is remarkable. Mr. Maldonado-Passage is exuberant and unconventional, but he is also kind, compassionate, and generous. His detractors paint him as a liar and animal abuser, but those same persons benefitted in many ways from Joe's incarceration.

Prior to his conviction, Joe had zero criminal convictions and his decades of service to others is a testament to his true character and his mission to honor the memory of his brother Garold. Joseph is scheduled to be released from BOP custody in 2037; however, with his comprised health, he will likely die in prison. He humbly requests a pardon to correct the injustices he has experienced and to have the opportunity to return to providing meaningful contributions to his community.

Personal Background

Mr. Maldonado-Passage spent his childhood on a farm in Garden City, Kansas. Unfortunately, Joe's childhood was filled with memories of physical and mental abuse he would rather soon forget. Joe was not close with his sisters or older brother, but he was especially close with his brother Garold—the only sibling that truly accepted Joe for who he was. Their family eventually moved to Wyoming and Joe and Garold spent much of their teenage years riding horses in the mountains, which is where his love for animals truly began to deepen. Around 1979, Joe's

family moved to Texas. After graduating high school, Joe applied for a position as a police officer and he graduated the police academy in Dennison, Texas as the youngest chief in Texas history.

In 1985, Joe was critically injured when he drove his police car into a bridge. His injuries required extensive rehabilitation and left him in braces for the next few years. After spending approximately one year in Florida, Joe moved back to Texas where he obtained employment at a pet store. Eventually, Joe and Garold purchased the pet store, which they operated for over a decade. Around that time Joe also met and married Brian Rhyne.

In 1997, Garold was critically injured in a tragic car accident. After days in a coma, Garold succumbed to his injuries; four people were fortunate to receive a second chance at life through the donation of Garold's organs.

Joe and Brian eventually sold the pet store and worked with Joe's parents to build a rescue zoo in Wynnewood, Oklahoma in Garold's honor. Sadly, Joe's husband fell ill in 1996, and his health deteriorated over time eventually requiring hospice care. Around Christmas 2001, Brian's health took a significant turn for the worse and he died.

The losses of Garold and Brian were the impetus for the opening of the Zoo and many of Joe's charitable acts. Working with people to create memorials for

loved ones at the Zoo and visiting terminally ill children and adults with his animals through the Animal Miracle Network are just a few of the ways Joe has given back. Joe also hosted annual Thanksgiving and Christmas celebrations offering free meals and entrance to the Zoo and he formed the United States Zoological Association to rebuild zoos and assist struggling zoo owners avoid the need to relocate animals. Joe spent the next few decades working in honor of Garold and touring the nation with his magic shows. His father became one of his biggest fans.

Joseph Maldonado-Passage is so much more than the person depicted in the *Tiger King*. Despite a lifetime of tragedies, he never allowed life's setbacks to deter him—he even ran for President in 2016 and governor of Oklahoma in 2018.

Joe suffers from anemia and common variable immune deficiency (CVID), which is an antibody deficiency that leaves Joe's immune system unable to defend against viruses and bacteria. This results in recurrent and severe infections, making Joe's incarceration particularly dangerous since infection control procedures and common practices for infection prevention are absent or unavailable in prison. This disease puts Joe at risk for pneumonia, sinusitis, ear infections, and gastrointestinal infections or inflammation.

CVID patients requires immunoglobulin replacement and preventative antibiotics; Joe currently requires monthly injections, which he will need for the remainder of his life. Proper treatment of CVID requires coordination between a

team of specialists, including hematologists, gastroenterologists, and pulmonologists. Given the COVID-19 crisis in prisons and jails across the country and general, Joe's conditions place him at heightened risk for complications.

The Zoo

Joe and his parents built the Garold Wayne Interactive Zoological Park (hereinafter the "Zoo") in Wynnewood, Oklahoma in honor of Garold. The Zoo opened in 1999, providing a home to myriad species of exotic animals. Eventually, the Zoo grew into one of the largest private zoos in the United States; during a span of 18 years, the Zoo housed approximately 200 tigers and 400 other exotic animals.

For 18 years, Mr. Maldonado-Passage held a valid U.S. Department of Agriculture Animal Plant Inspection Services (USDA-APHIS) License to commercially operate a zoo, which also permitted him to breed and sell to other licensees. The zoo was routinely inspected by inspectors that are licensed veterinarians tasked with enforcing the Animal Welfare Act and who approved protocols for the animals at the zoo, including veterinarian care and diets. During that time, Joe also devoted efforts to breaching and research into inter-breeding and cross-breeding of tigers and lions to create species such as ligers, liligers, taligers, and tigons. Through this research, Joseph provided Texas A&M and the National Institute of Health DNA to research cross-bred big cats.

For 18 years, Federal Fish and Wildlife never inquired as to the number or types of tigers at the Zoo, the number that died, or where the bodies of any deceased animals were located, even with four true species of tigers listed on the Endangered Species Act (ESA). In addition, the USDA and Fish and Wildlife never had cause to shut down the Zoo because of concerns over animal cruelty or any failure to care for the animals' basic needs.

Despite Joe's love for the animals and the Zoo, after almost two decades he realized that it was time to plan his exit. Jeff Lowe's continuing and escalating threats were successful in motivating Joe to leave for good. He worked to organize animal transfers and enlisted the help of Brittany Peet from People for the Ethical Treatment of Animals. He left the Zoo in 2018.

Feud Between Joe Exotic and Carole Baskin

Around 2006, a feud began between Mr. Maldonado-Passage and Carole Baskin that continued through the years and ultimately contributed to loss of the Zoo and Joe's freedom. Their battle was front and center for anyone to see—both parties used social media posts, videos, and other tactics to spread their message and voice their opinions. Joe acknowledges that some of his material was over the top but despite his anger and frustration he never hired anyone to kill Ms. Baskin. Ultimately, Baskin successfully sued Joe for copyright and trademark infringement and was awarded almost \$1 million in damages; she eventually took ownership of

the Zoo.

Lies and Manipulations by Jeff Lowe and Others

Around 2015, Mr. Maldonado-Passage met Jeff Lowe and that relationship would forever change the trajectory of Joe's life. Lowe pretended to be a wealthy investor and he took advantage of the ongoing legal battles between Joe and Carole. Through lies and manipulation he eventually gained ownership of the Zoo.

Jeff and Lauren Lowe moved to Wynnewood, Oklahoma around November 2015. Around February 2016, Lowe became the official owner of the Zoo and Joe became the Entertainment Director. Upon invitation by Lowe, Alan Glover moved to Wynnewood in April 2016 to work at the Zoo.

Over time Joe learned that Lowe was not who he purported to be. Rather, he was a con artist looking to remove Joe from the Zoo. Sadly, he was successful.

Around September 2017, James Garretson began working with U.S. Fish and Wildlife Service and agreed to cooperate and record telephone calls for the Government. After the Glover murder-for-hire charges fell apart, the Government used Garretson to introduce an undercover agent posing as a hitman. Garretson and the undercover agent made repeated attempts between December 2017 and March 2018 to force Joe into their manufactured murder-for-hire plan, but they were unsuccessful.

As would later become relevant, Lowe contacted Joe in October 2017 and asked him for the location where Glover could obtain a fake license. At the time Joe was unsure what Lowe and Glover were involved with, but Joe eventually contacted James Garretson and provided Alan Glover with an address where he could obtain an ID, which Glover obtained in November 2017.

In November 2017, Lowe again contacted Joe and instructed him to give Glover \$3000 from the night deposit, which would allow Glover to leave the Zoo and travel to South Carolina to handle alleged legal issues. Around that same time, Glover approached Joe and instructed him to mail a cell phone to Lowe in Las Vegas; Glover alleged that the request to mail the phone came from Lowe.

In December 2017, an undercover agent accompanied James Garretson to try and catch Joe in a murder-for-hire plot. Those attempts continued until March 2018 when Joe stopped speaking with Garretson. At no time did Joe pay money to the agent or purchase burner phones or a pistol.

Lowe returned from Law Vegas around March 2018 and Garretson informed Lowe that he was working with the Government. After months of failed attempts to find evidence in support of a murder-for-hire charge, Jeff Lowe conveniently appears with claims that Joe paid Glover \$3000 to kill Carole Baskin.

In July 2018, Lowe told federal agents that allegedly back in November

2017, Joe gave Allen Glover (Lowe's friend and employee) money to kill Carole Baskin.

Request for Waiver

In this case, the five-year waiting period should be waived. As the enclosed application demonstrates, Mr. Maldonado-Passage is the victim of selective application of misapplied laws and perjured testimony by witnesses more concerned with self-preservation. Joe Exotic is not a murderer or animal abuser and he is not the criminal mastermind his detractors attempt to portray. Mr. Maldonado-Passage loved and respected his animals and he misplaced his trust in people who took advantage of him—people who laughed and bragged about setting him up and have inexplicably escaped prosecution for their own crimes and lies.

Has Joe made some bad decisions in his past? Certainly. Has Joe's mouth gotten him into trouble? Absolutely. However, in no uncertain terms did Joe hire someone to kill Carole Baskin. Joe should not be facing death in prison for crimes he did not commit and for which there is indisputable evidence of the same.

JOE'S LETTER TO PRESIDENT TRUMP

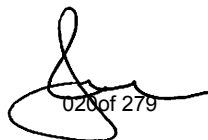
SIR, my NAME is Joseph Maldonado-Passage AKA-
Joe Exotic, IF I Have ever looked up to Anyone.
It would Be you, Not Because I need you to Save
my life But Because you stand For what you
Believe No matter what Anyone thinks, THAT
is why I took my beliefs to the political Arena,
IF you dont like something dont sit Around
And Bitch, do something, So I Ran For Office
And As much I learned And Had Fun I still
Voted For the man who could do the Job
And that was you! My Parents And my life
And Everything we ever worked For was
Stolen By Criminals who got everything.
We had For Nothing, And my poor mom died
During this mess And my Dad is Cool knows
Where locked in a Nursing Home while they
enjoy living in His House For FREE,
I Have worked And Been Self Employed
80% OF my life, my Parents RAISED me to
work For what I get And to Hold true to my
word As your word is your Bond. I grew up
Having Faith in our System until I Became

- 2 -

TRAPPED IN IT, I SEE WHAT THEY DO TO YOU
AND CAN'T BELIEVE IT, BUT WHEN I SAW 2,
ASST U.S. ATTORNEYS, 2 FBI AGENTS AND 1 FEDERAL
WILDLIFE AGENT SET IN COURT AND KNOW THEIR
WITNESSES WERE LYING UNDER OATH AND
EVEN HELPED THEM I WAS ASHAMED OF
OUR COUNTRY. MEN AND WOMEN FIGHTING AND
LOSING THEIR LIVES FOR THIS COUNTRY AND OUR
OWN FEDERAL AGENTS AND D.O.I. LYING AGAINST
THEIR OWN OATH OF OFFICE TO FURTHER AN
AGENDA FOR 3 KNOWN CRIMINALS INSTEAD OF
FINDING REAL JUSTICE,

I AM BEGGING YOU TO LISTEN TO THE MILLIONS
WHO SEE THE TRUTH. I'M ASKING YOU TO LISTEN
TO YOUR OWN SON DONALD JR AND MAKE THIS
RIGHT AND GRANT ME A MIRACLE "A PARDON" AND LET
ME PUT THIS BEHIND ME AND GO SAVE MY DAD HE IS
86 AND GO LIVE MY LIFE WITH MY HUSBAND "DILLON"
BUT MOST OF ALL SO I CAN RETURN TO HELPING
SICK CHILDREN AND THE HOMELESS, ALLOW ME
TO MAKE YOU PROUD, TO MAKE AMERICA PROUD,
TO MAKE THE WORLD PROUD. BE MY HERO PLEASE.

THANK YOU SIR.

 "Soe Exotic"

JOE'S LETTER TO TRUMP JR.

Mr Donald Trump Jr.

8-4-20.

Hey, It's me again Joe Exotic, I Hate to Bother you again But I Truly Have Faith in you and your dad, IF they would ever just leave Him alone he could do Amazing things, I am Reaching out to you one more time Before they Finish my Pardon Application And give it to who ever they Have planned, Our justice system is so Broken that no one in the streets can see the Real Problem. they are All Being so misled By Fake news and Bad politicians its not a Race problem at all, its a justice problem, Bad Agents, Bad cops and Bad prosecutors is what has made the mess your father is getting the Blame for, I am stuck in a Prison not Because I Have done Any thing wrong, But Because I was a Pawn For a personal Agenda By some very corrupt Agents and U.S. Attorneys, my cell phones and witnesses were All kept from the jury just to convict me, But when I wouldn't Plead guilty to one of the First 2 charges they charged me with the 20 animal charges. only to make the jury hate me For Euthinizing 5 of my own Tigers That were Born and bred in my own zoo And instructed to By my inspector of the USDA of who

The Former Director of the Federal Wildlife Service Dan Ashe placed Generic Tigers on the Endangered Species List For the sole purpose to discourage people from breeding them and to take the private sector out of the competition for the Association of zoos and Aquariums of which Mr. Ashe was the C.E.O, while using his government job to help His non profit monopolize the tiger market in America zoos,

Then directed FWS Agent matt Bryant to use the word "Take" in the ESA to charge me with Euthinizing a tiger in my zoo which was my personal property without a permit called a Captive Wildlife Breeders permit which they wont issue without proving what your doing will enhance the species, we were putting them to sleep just like the USDA told me to and approved the method of Gun shot,

But just yesterday a Judge Ruled against a man in Indiana named Tim Stark in a civil case vs Peta, He was taken to Civil Court for the word "take" under the ESA and Im the only one in America in Prison for the same thing, this is not the equal justice people that support your father want in America,

-2-

I would never have been convicted if the FWS Agent and FBI Agents ~~Along~~ Along with the U.S. Attorney's Office would have told the truth and my evidence would not have been kept from the jury. DON, I have been in jail 2 years, I lost 57 years of work, my animals, my zoo. Jeff destroyed my home, my mom is now dead and they put my dad alone in a VA Home just to take his house and 86 years of hard work for free. I have been sexually ~~assaulted~~ assaulted by jail staff, beat up and tied in a chair to the point the skin came off my arms. Dying could not be as bad as what this system has done to me, you see the out cry from people around the world asking you and our President to make this right and grant me a miracle and ask your father, the best President America has ever had to sign my pardon as soon as it gets to him. He wouldn't be just a hero to millions in America but to millions around the world and he would shine going into November of 2020.

I just want to go Home to Dillon and
Take care of my Father so He does not
die alone like my Mother did After
70 years with my dad.

I Sat here and answer letters all day
From Kids as young as 9 to Teens
that are 13+14 thinking of killing themselves
Because they have no one to talk to, To
grown Adults with families struggling who
to vote for, Because they see what
the System has done to me that they are
Ready to give up on America, Please Be
my voice To Our President to give me
A chance to prove what A great Person I
Am and what I can do Around the
world to Be A voice to who Can make
America Great even After COVID-19 and
That Don is your Dad,

This won't make it By Aug 22, I'm not
Sure which is Dillon's B-day But it would Be
An American + world B-day Party For me to
Finally Be home for his Birthday.
My Hands Are damaged from the Abuse in
Jail So I'm Sorry for the sloppy writing and
Spelling.

Please Be my Hero - ✍️ Ecotic
#Trump Jr 2024 025 of 279 Joseph Maldonado -
Passage.

PARDON APPLICATION

Joseph Maldonado-Passage's Petition for Pardon

Please read the accompanying instructions carefully before completing the application. Type or print the answers in ink. Each question must be answered fully, truthfully, and accurately. If the space for any answer is insufficient, you may complete the answer on the optional continuation page or on a separate sheet of paper and attach it to the petition. If a question is not applicable, please state so. You may attach any additional documentation that you believe is relevant to your petition. The submission of any material, false information is punishable by up to five years' imprisonment and a fine of not more than \$250,000. 18 U.S.C. §§ 1001 and 3571.

To The President of the United States:

1. Full name:

First

Middle

Last

Address:

Number

Street

City

State

Zip Code

Email Address:

Cell Number:

(area code)

Social Security No.:

Home Number:

(area code)

Sex:

Date of birth:

Place of birth:

Height:

Weight:

Hair color:

Eye color:

Does an attorney represent you in your petition for clemency?

☐ yes ☐ no

If you are represented, please provide your attorney's contact information, including name, address, phone number, and email address if available.

The undersigned petitions for a pardon and in support thereof states as follows:

State in full every other name by which you have been known, including the name under which you were convicted, the reason for your use of another name, and the dates during which you were so known (i.e., include your maiden name, name by a former marriage, aliases, and nicknames).

Are you a United States citizen?

☐ yes ☐ no

If you are not a U.S. citizen, state your nationality and your alien registration number. If you are a naturalized U.S. citizen, state the date and place of your naturalization.

Have you ever applied for a presidential pardon before?

☐ yes ☐ no

If yes, state the date you applied for pardon, and the date you were notified of the final disposition of the petition.

Offense(s) For Which Pardon Is Sought

Under the Rules Governing Petitions for Executive Clemency, a minimum waiting period of five years after completion of sentence is required before you become eligible to apply for a presidential pardon. The waiting period begins on the date of release from confinement. If the conviction resulted in probation or a fine with no term of imprisonment, the waiting period begins on the date of sentencing. Please see paragraph 3 of the Information and Instructions on Pardons.

2. Petitioner was convicted on a plea of _____ in the United States District
(guilty, not guilty, nolo contendere)

Court for the _____ District of _____ of the crime of:
(Northern, Western, etc.) (identify state)

(State specific offense; provide citation of statute(s) violated, if known)

and was sentenced on _____, _____ to ☐ imprisonment for _____,
(month/day) (year)
☐ probation/supervised release for _____, ☐ a fine of \$ _____, and ☐ restitution
of \$ _____. Petitioner was _____ years of age when the offense was committed.

3. Petitioner began service of the sentence of (☐imprisonment ☐probation) on _____, _____;
(month/day) (year)
was released on _____, _____ from _____; began service of
(month/day) (year) (Federal institution)
probation/supervised release on _____, _____; and completed the sentence on
(month/day) (year)
_____, _____. Petitioner (☐did ☐did not) appeal the conviction.
(month/day) (year)

4. Indicate the date(s) on which the fine or restitution was paid. If the fine or restitution has not been paid in full, explain why, and state the remaining balance.

5. If you appealed your conviction or sentence, provide the date of the decision(s) by the Court of Appeals and, if applicable, the Supreme Court. Also provide citations to any published judicial opinion(s), and a copy of any unpublished opinion(s), if available.

6. **Provide a complete and detailed account of the offense for which you seek pardon. You are expected to describe in your own words the relevant factual circumstances of the offense. Do not simply repeat the description of the offense contained in the indictment or presentence report, or rely on criminal code citations alone. If the conviction resulted from a plea agreement, you should describe the full extent of your involvement in the criminal conduct, in addition to the charge(s) to which you pled guilty. If you need more space, use the optional continuation page.**

Prior and Subsequent Criminal Record

7. **Aside from the offense for which you seek pardon, have you ever been arrested, taken into custody, held for investigation or questioning, charged by any law enforcement authority, or convicted in any court, either as a juvenile or an adult, for any other incident?** ☐ yes ☐ no
For each such incident, state the following: the date, the nature of the charge, the relevant facts, the law enforcement authority involved, the location, and the disposition of the incident. You must list every violation, including traffic violations that resulted in an arrest or criminal charge, such as driving under the influence. You are expected to describe in your own words the relevant factual circumstances of each incident. Any omission will be considered a falsification. If you need more space, use the optional continuation page.

Biographical Information**8. Current marital status: ☐ Never Married ☐ Married ☐ Divorced ☐ Widowed ☐ Separated**

For each marriage, state the following: name of spouse, date and place of spouse's birth, date and place of marriage, and, if applicable, date and place of divorce, and current or last known address and telephone number of your current and each former spouse. If you need more space, use the optional continuation page.

name of spouse

date/place of birth

full address, including zip code

telephone number, including area code

date/place of marriage

date/place of divorce

name of spouse

date/place of birth

full address, including zip code

telephone number, including area code

date/place of marriage

date/place of divorce
9. (a) List your children by name and furnish the date and place of birth for each:

If you have no children, indicate that the question is not applicable. If you need more space, use the optional continuation page.

name of child

date/place of birth

name of child

date/place of birth

name of child

date/place of birth

(b) If you have minor children, but do not have custody of one or more of them, indicate whether and to whom you pay child support, whether your payments are current, and, if not, the reason for your failure to pay and any agreement you have made to satisfy your payment obligation.

(c) For each child listed above state the name, address, and telephone number of the other parent. If other parent is a spouse listed above, you need only state their name.

10. List the complete address of all schools you have attended since your conviction, beginning with the most recent and working backward. Indicate the type of degree or diploma received or anticipated, and give the name of an instructor, counselor, or other school official who knows you well. If you need more space, use the optional continuation page. If you have not attended any schools since your conviction, indicate that the question is not applicable.

School		From (month/year)	To (month/year)
Field of Study		Degree	Month/year awarded
Number and Street	City	State	Zip Code
Name of school official		Telephone number of school official	

Residences

11. Provide the full address of every place you have lived since the conviction or release from incarceration, beginning with the present and working backward. All time periods must be accounted for. List the physical location of your residence; do not use a post office box as an address. If you lived in an apartment complex, list your apartment number. If you need more space, use the residence continuation page.

Date you moved to present address (month/year):	Number and Street		Apartment Number
	City	State	Zip Code

From (month/year):	Number and Street		Apartment Number
To (month/year):	City	State	Zip Code

From (month/year):	Number and Street		Apartment Number
To (month/year):	City	State	Zip Code

From (month/year):	Number and Street		Apartment Number
To (month/year):	City	State	Zip Code

From (month/year):	Number and Street		Apartment Number
To (month/year):	City	State	Zip Code

Employment History

- 12. List all periods of employment and unemployment since the conviction or release from incarceration, beginning with the present and working backward. All time periods must be accounted for. List all full and part-time work, self-employment, and any periods of unemployment. For any period of unemployment, indicate your means of support. For additional employments, use the employment history continuation page.**

Present Employer			Telephone (include area code)
Date you began this employment (month/year):	Number and Street		
	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

Employer			Telephone (include area code)
Began (month/year):	Number and Street		
Ended (month/year):	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

Employer			Telephone (include area code)
Began (month/year):	Number and Street		
Ended (month/year):	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

(a) Since your conviction, have you been fired or left a job following allegations of misconduct or unsatisfactory job performance? ☐ yes ☐ no

(b) Have you ever failed to list your conviction, or any other arrest or conviction, on any employment or other application where such information was requested? ☐ yes ☐ no

If you answered yes to either of the above questions, provide the employer's name, address and telephone number, and explain fully below. If you need more space, use the optional continuation page.

--

(c) If you are self-employed, state the number of individuals you employ on both a full-time basis ____ and a part-time basis ____, if any, and state the name, address, and telephone number of an individual acquainted with you in a professional capacity, who are familiar with your professional performance and reputation.

--

Substance Abuse and Mental Health Information

13. (a) Have you ever used any illegal drug or abused prescription drugs or alcohol? ☐ yes ☐ no

If yes, identify the drugs used, the dates of drug or alcohol abuse, and the frequency of such use. If you need more space, use the optional continuation page.

- (b) Have you ever been involved in the illegal manufacture, sale, or distribution of drugs, other than the offense for which you seek a pardon? ☐ yes ☐ no

If yes, provide complete details and dates of your involvement. If you need more space, use the optional continuation page.

- (c) Have you ever sought or participated in counseling, treatment, or a rehabilitation program for drug use or alcohol abuse? ☐ yes ☐ no

If yes, specify the dates of treatment or counseling, and provide the full name, address, and telephone number of the treatment facility and of the doctor, counselor or other treatment provider.

- (d) Have you ever consulted with a mental health professional (psychiatrist, psychologist, or counselor), or with another health care provider, concerning a mental health- related condition? ☐ yes ☐ no

If yes, specify the nature of the condition, the dates of treatment, the type of treatment, and the full name, address, and telephone number of the counselor or treatment provider.

Civil and Financial Information

14. (a) **Are you currently in default or delinquent in any way in the payment or discharge of any debt or financial obligation imposed upon you?** ☐ yes ☐ no

If yes, state the amount of the debt, the full name, address, and telephone number of the creditor, the reason for the failure to pay, and the terms of any agreement you have made to satisfy the obligation. If you need more space, use the optional continuation page.

- (b) **Have any liens (including federal or state tax liens) been filed against you?** ☐ yes ☐ no

If yes, state the amount of the lien, the full name, address, and telephone number of the lien holder, the reason the lien was imposed, the current status of the lien, and the terms of any agreement you have made to satisfy the obligation. If you need more space, use the optional continuation page.

- (c) **Have you ever been named as a party in a civil lawsuit?** ☐ yes ☐ no

If yes, state the full name, address, and telephone number of any other party to the lawsuit, the court in which it was filed, the case number, the nature of the dispute, and the final disposition, including the terms of any settlement agreement. If you need more space, use the optional continuation page.

- (d) **Have you ever filed for the discharge of your debts in bankruptcy?** ☐ yes ☐ no

If yes, state the court in which the petition was filed, the case number, the amount of debt sought to be discharged, the final disposition of the action, and the date of disposition, and provide a brief summary of the circumstances that led to each filing. If you need more space, use the optional continuation page.

- (e) **Do you have any judicial or administrative proceedings pending with the federal or state governments?** ☐ yes ☐ no

If yes, state the full name, address and telephone number of the relevant authority involved, the jurisdiction in which the proceeding is pending, the case number, the nature of the dispute, and the current status of the matter. If you need more space, use the optional continuation page.

Military Record

15. (a) Have you ever served in the armed forces of the United States? ☐ yes ☐ no

Dates of service: _____ Branch(es): _____

Serial number: _____ Type of discharge: _____

Decorations (if any): _____

(b) If you were other than honorably discharged, describe in detail the factual circumstances surrounding your discharge. If you need more space, use the optional continuation page. Attach a copy of your separation papers (Form DD-214), if available.

(c) While serving in the armed forces, did you receive non-judicial punishment, or were you the defendant in any court-martial? ☐ yes ☐ no

If yes, state fully the nature of the charge, the relevant facts, the disposition of the proceedings, the date thereof, and the name and address of the authority in possession of the records thereof. If you were convicted of an offense by court-martial, with respect to each conviction, provide a copy of the court-martial promulgating order and the information that is required in questions 2 through 6 of this application. If you need more space, use the optional continuation page.

Civil Rights and Occupational Licensing

16. Have you ever applied for the restoration of your state civil rights (i.e., a state pardon, a certification of restoration of civil rights, or a certificate of discharge)? ☐ yes ☐ no

If yes, indicate whether the application was granted or denied, and attach a copy of your application and the document(s) evidencing the state's action.

17. (a) Have you ever applied for the removal of your state firearms disabilities? ☐ yes ☐ no

If yes, indicate whether the application was granted or denied, and attach a copy of your application and the document(s) evidencing the state's action.

- (b) Have you ever applied for the removal of your federal firearms disabilities? ☐ yes ☐ no

If yes, indicate whether the application was granted or denied, and attach a copy of your application and the document(s) evidencing the federal government's action.

18. (a) Have you ever been denied any type of business or professional license, had any such license revoked, or had reinstatement of any such license denied? ☐ yes ☐ no

If yes, attach a copy of the document(s) evidencing the action, including your application and any explanation of the reasons for the action. If not available, provide the name, address, and telephone number of the authority taking the action, the nature of the license, the disposition of your request, and the date of disposition.

- (b) Have you ever been granted any type of business or professional license or received the reinstatement of any such license that had been revoked? ☐ yes ☐ no

If yes, attach a copy of the document(s) evidencing the action, including your application and any explanation of the reasons for the action. If not available, provide the name, address, and telephone number of the authority taking the action, the nature of the license, the disposition of your request, and the date of disposition.

Charitable and Community Activities

19. Describe any charitable or civic activities in which you have been engaged, or other contributions you have made to the community, since your conviction. In this regard, you may include the names of any organizations in which you have participated, the time periods of your participation, your role in these activities, and the name, address, and telephone number of a person associated with each organization who is familiar with your involvement. If you need more space, use the optional continuation page.

Reasons for Seeking Pardon

20. State your reasons for seeking a pardon. Please refer to paragraph 4 of the Information and Instructions on Pardons, which indicates that a pardon is ordinarily a sign of forgiveness, not vindication. If you need more space, use the optional continuation page.

Residences

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

<i>From (month/year):</i>	<i>Number and Street</i>	<i>Apartment Number</i>	
<i>To (month/year):</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Employment History

Employer			Telephone (include area code)
Began (month/year):	Number and Street		
Ended (month/year):	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

Employer			Telephone (include area code)
Began (month/year):	Number and Street		
Ended (month/year):	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

Employer			Telephone (include area code)
Began (month/year):	Number and Street		
Ended (month/year):	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

Employer			Telephone (include area code)
Began (month/year):	Number and Street		
Ended (month/year):	City	State	Zip Code
Type of business	Position	Supervisor	Supervisor's telephone number

[illegible]

CHARACTER AFFIDAVITS

CHARACTER AFFIDAVIT
on behalf of

(print or type name of petitioner)

In support of the application of the above named petitioner to the President of the United States for pardon,

I, _____,
(Print or type name of affiant)

residing at _____,
Number Street City State Zip Code

_____, whose occupation is _____,
Telephone No. (include area code)

certify that I have personally known the petitioner for _____ years. Except as otherwise indicated below, petitioner has behaved since the conviction in a moral and law-abiding manner. My knowledge of petitioner's reputation, conduct and activities, including whether the petitioner has been arrested or had any other trouble with public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information, and belief.

(Signature of Affiant)

Subscribed and sworn before me this _____ day of _____, _____.
(month) (year)

Notary Public: _____

(SEAL)

My commission expires: _____

Note: Persons related to you by blood or marriage cannot be used as primary character references nor can the attorney representing you in the pardon process, if you are so represented.

CHARACTER AFFIDAVIT

on behalf of

(print or type name of petitioner)

In support of the application of the above named petitioner to the President of the United States for pardon,

I, _____,
(Print or type name of affiant)

residing at _____,
Number Street City State Zip Code

_____, whose occupation is _____,
Telephone No. (include area code)

certify that I have personally known the petitioner for _____ years. Except as otherwise indicated below, petitioner has behaved since the conviction in a moral and law-abiding manner. My knowledge of petitioner's reputation, conduct and activities, including whether the petitioner has been arrested or had any other trouble with public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information, and belief.

(Signature of Affiant)

Subscribed and sworn before me this _____ day of _____,
(month) (year)

Notary Public: _____

(SEAL)

My commission expires: _____

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CHARACTER AFFIDAVIT

on behalf of

(print or type name of petitioner)

In support of the application of the above named petitioner to the President of the United States for pardon,

I, _____,
(Print or type name of affiant)

residing at _____,
Number Street City State Zip Code

_____, whose occupation is _____,
Telephone No. (include area code)

certify that I have personally known the petitioner for _____ years. Except as otherwise indicated below, petitioner has behaved since the conviction in a moral and law-abiding manner. My knowledge of petitioner's reputation, conduct and activities, including whether the petitioner has been arrested or had any other trouble with public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information, and belief.

(Signature of Affiant)

Subscribed and sworn before me this _____ day of _____, _____.
(month) (year)

Notary Public: _____

(SEAL)

My commission expires: _____

Note: Persons related to you by blood or marriage cannot be used as primary character references nor can the attorney representing you in the pardon process, if you are so represented.

CHARACTER AFFIDAVIT

on behalf of

(print or type name of petitioner)

In support of the application of the above named petitioner to the President of the United States for pardon,

I, _____,
(Print or type name of affiant)

residing at _____,
Number Street City State Zip Code

_____, whose occupation is _____,
Telephone No. (include area code)

certify that I have personally known the petitioner for _____ years. Except as otherwise indicated below, petitioner has behaved since the conviction in a moral and law-abiding manner. My knowledge of petitioner's reputation, conduct and activities, including whether the petitioner has been arrested or had any other trouble with public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information, and belief.

(Signature of Affiant)

Subscribed and sworn before me this _____ day of _____, _____.
(month) (year)

Notary Public: _____

(SEAL)

My commission expires: _____

Note: Persons related to you by blood or marriage cannot be used as primary character references nor can the attorney representing you in the pardon process, if you are so represented.

CHARACTER AFFIDAVIT

on behalf of

(print or type name of petitioner)

In support of the application of the above named petitioner to the President of the United States for pardon,

I, _____,
(Print or type name of affiant)

residing at _____,
Number Street City State Zip Code

_____, whose occupation is _____,
Telephone No. (include area code)

certify that I have personally known the petitioner for _____ years. Except as otherwise indicated below, petitioner has behaved since the conviction in a moral and law-abiding manner. My knowledge of petitioner's reputation, conduct and activities, including whether the petitioner has been arrested or had any other trouble with public authorities and has been steadily employed, is as follows:

I do solemnly swear that the foregoing information is true and correct to the best of my knowledge, information, and belief.

(Signature of Affiant)

Subscribed and sworn before me this _____ day of _____,
(month) (year)

Notary Public: _____

(SEAL)

My commission expires: _____

Note: Persons related to you by blood or marriage cannot be used as primary character references nor can the attorney representing you in the pardon process, if you are so represented.

Authorization for Release of Information

<i>Carefully read this authorization to release information about you, then complete, sign and date.</i>
--

I authorize any investigator, special agent, or other duly accredited representative of the Federal Bureau of Investigation, the Department of Defense, and any other authorized Federal agency, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, retail business establishments, courts, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, criminal history, arrest, conviction, including the presentence investigation report, if any, medical, psychiatric/psychological, health care, and financial and credit information.

I understand that, for financial or lending institutions and certain other sources of information, a separate specific release may be needed (pursuant to their request or as may be required by law), and I may be contacted for such a release at a later date.

I further authorize the Federal Bureau of Investigation, the Department of Defense, and any other authorized Federal agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my suitability for a government benefit.

I authorize custodians of records and sources of information pertaining to me to release such information upon request of the investigator, special agent, or other duly accredited representative of any Federal agency authorized above regardless of any previous agreement to the contrary. I understand that the information released by records custodians and sources of information is for official use by the Federal Government only for the purposes of processing my application for a government benefit, and may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for three (3) years from the date signed.

<i>Full Name (type or print legibly)</i>		
<i>Other Names Used</i>		
<i>Street Address</i>		
<i>City</i>	<i>State</i>	<i>Zip Code</i>
<i>Home Telephone Number (include area code)</i>		<i>Social Security Number</i>

Signature

Date Signed

Certification and Personal Oath

I hereby certify that all answers to the above questions and all statements contained herein are true and correct to the best of my knowledge, information, and belief. I understand that any intentional misstatements of material facts contained in this petition may cause adverse action on my petition for pardon, in addition to subjecting me to any other penalties provided by law.

In petitioning the President of the United States for pardon, I do solemnly swear that I will be law-abiding and will support and defend the Constitution of the United States against all enemies, foreign and domestic, and that I take this obligation freely and without any mental reservation whatsoever, So Help Me God.

Respectfully submitted this _____ day of _____ , _____ .
(month) (year)

(signature of petitioner)

Subscribed and sworn before me this _____ day of _____ , _____ .
(month) (year)

Notary Public: _____

(SEAL)

My commission expires: _____

FACTUAL BASIS

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

§
§
§
§
§
§
§

Addendum No. ____

Joseph Maldonado-Passage

Factual Basis in Support of Pardon Application

“In America, the Sovereign has a far higher duty than its Subjects to seek Justice and ensure that its Citizens are treated fairly.”¹ The Sovereign, in this case, has failed to carry its duty and allowed the Court to inflict a severe injustice upon Joseph Maldonado-Passage (“Joe”).

Joseph Maldonado-Passage, commonly known by his sobriquet Joe Exotic, has had every aspect of his life thrust into the limelight by the Netflix docuseries *Tiger King: Murder, Mayhem, and Madness*. As the American public has gotten to know more about Joe’s personal life, business dealings, and the cast of characters that helped him run his exotic animal park in Oklahoma; Joe’s legal disputes have also entered into national discussion about criminal justice and prison reform.

Joe is serving a twenty-two (22) year sentence after a federal jury convicted him of two counts of murder-for-hire, eight counts of violating the Lacey Act for

¹ Terri Moore, as Federal Prosecutor said to me when I asked her why she came to my aid to convince a rogue Federal Judge not to inflict a severe injustice upon my client.

falsifying wildlife records, and nine counts of violating the Endangered Species Act. In a statement released by the Department of Justice, U.S. Attorney Timothy J. Downing thanked the Court for their “thoughtful consideration” and for the “countless hours of detailed investigative work” which led the jury to return with a guilty verdict “after only a few hours of deliberation.” This quote illustrates precisely how the Sovereign failed in its duty. The Government’s focus was only about the “countless hours of detailed investigative work” as the justification for the injustice and harsh punishment imposed on Joe. “Countless hours of detailed investigative work” is the minimum acceptable standard for the Sovereign. What the Government’s quotes above really say is that: The Government did everything they had to do to win; but not to do justice.

Most certainly, had Joe counted with matched resources, the outcome would have been different. At the time Joe was tried, he was “just some gay, gun totting, redneck in Oklahoma” who dared to assert his Constitutional right to a trial by Jury and Presumption of Innocence.

Not a single witness was brought to testify on the merits of his defense.² The Government ignored and excluded fact witnesses that were detrimental to their case. These witnesses were ready, willing and able to testify. Their statements are now included in this Application.

² Ms. Brittney Peet, a lawyer for PETA did testify as to the efforts Joe was making to transfer the zoo animals safely and possibly broker an agreement with Carol Baskin.

Left alone at trial, Joe had to take the stand and testify in his own defense. By law, he was punished more severely for having asserted his Constitutional rights to a Trial by Jury and to take the stand in his own defense.³

The Federal jury that determined Joe's fate were not presented all the relevant and necessary information for them to most accurately assess his innocence. Except as stated earlier, No witnesses were called on his behalf, particularly the Greater Wynnewood Exotic Animal Park (hereinafter referred to as "G.W. Zoo" or "the animal park") manager of fourteen years, John Reinke, Joe's close friend Anne Patrick and associate Timothy Stark.⁴ Reinke and Patrick, were involved in the daily operations of the animal park and were present for many of the situations discussed in the trial. Their intimate knowledge of the G.W. Zoo and Joe's personal and business life would have provided the jury with a fuller picture of the animal park's operations and the supposed murder-for-hire plot. Tim Stark owned and operated his own zoo in Indiana. He was Joe's friend and associate.

We respectfully oppose the guilty verdict made in the case of *United States of America vs. Joseph Maldonado-Passage*,⁵ as well as the severity of Joe's sentence. In the following sections, we hope to demonstrate that without the full

³ The Federal Sentencing Guidelines provide that a Judge may impose a harsher sentence on a convicted person that asserted his Constitutional rights to a Trial by Jury and to testify in his own defense. The Sentencing Guidelines contemplate that the convicted person did not accept responsibility by going to trial and that he obstructed justice by testifying in his own defense.

⁴ Sworn Statements in Support by Patrick, Reinke and Stark are included in this Petition

⁵ The entire trial transcript is included with this Application in an electronic version.

understanding of the circumstances surrounding the murder-for-hire, the Endangered Species Act, and the Lacey Act counts, Joe's guilt seems more tenable to the Court. Thus, the case must be re-presented with the full scope of information to more accurately assess Joe's innocence. We trust your ability to see the truth in these statements and re-evaluate the previous verdict and restore justice to Joe, his family, and his community.

This Factual Basis addresses, in order, the counts in the Superseding indictment against Joe.⁶ It is important to consider these two charging instruments together to answer the obvious question of why the original Indictment contained only the Murder-for-Hire counts. Then, on the precipice of the trial, the Government superseded the indictment to add nineteen (19) unrelated counts. Suffice it to say, counts 3-21 may be summarized by quoting a noble fan:

“If you can’t get him for killing the woman, get him for killing the cats.”

Counts 1-2 - Use of Interstate Commerce Facilities in the Commission Murder-for-Hire:

The Greater Wynnewood Exotic Animal Park in Wynnewood, Oklahoma was Joe's passion project; the animal park allowed him to work and live with the animals he loves by entertaining families in Oklahoma and across the nation with his zoological exhibits and exuberant shows. Through his increasing popularity on

⁶ The Original Indictment and the Superseding indictment are included with this Petition.

social media and his online live shows, Joe became well-known within the exotic animal community. Joe became popular through his “Joe Exotic” persona, where Joe entertained others through his vivacious and animated personality. He drew fans in with his over the top personality and presentation style.

As occurs to many celebrities and public figures, Joe drew the ire of others who disliked his personality and disagreed with his opinions. One of his most vocal detractors was Carole Baskin. Baskin is the chief operating officer of Big Cat rescue, an animal sanctuary in Tampa, Florida. Joe and Baskin disagreed on the minutiae of the “proper care, exhibition, and breeding practices for big cats,” namely lions and tigers. As Baskin publicized her disagreement with Joe, he addressed her opposing opinions on his social media and online live show. In keeping with his theatrical and ostentatious persona, Joe made over-the-top threats towards Baskin. Baskin made a compelling antagonist within the microcosm of Joe’s “Joe Exotic” celebrity. Those who knew Joe personally took his statements as hyperbole, simply another aspect of his showmanship.

In 2016, businessman Jeff Lowe fraudulently obtained ownership and control of the animal park from Joe and took over as Chief Executive Officer (CEO), he brought Allen Glover, who is originally from South Carolina, on as a new employee at G.W. Zoo. Although Lowe was in charge of overseeing all the coordination and administration of the animal park, he frequently made trips to Las

Vegas for personal reasons and to pursue other business ventures. Lowe often relied on Allen Glover to report any and all goings on at the animal park. Because Lowe had hired Glover, Glover considered himself ultimately answerable to Lowe.

The first count of murder-for-hire, Allen Glover [*Individual 1*] claimed that Joe inquired as to whether Glover would travel to Florida to murder Carole Baskin in exchange for an initial offer of US\$3,000.00 and the promise of more payment after the plot's success. Then Glover and Joe allegedly agreed that Glover would travel from Oklahoma to South Carolina and from South Carolina to Florida with the intent to murder Carole Baskin. Glover travelled from Oklahoma to South Carolina; however, no harm befell Baskin.⁷

According to John Reinke, the \$3,000.00 that Joe offered Glover was not in exchange for the murder of Carole Baskin. Instead, the money was offered to Glover to leave the park due to his overbearing oversight and lack of work ethic, which frustrated Joe and others at the animal park. As Jeff Lowe was frequently in Las Vegas, Lowe relied on Allen Glover to report any and all goings on at the animal park. Reportedly Glover would often report minute behaviors to Lowe, causing Lowe to call Joe and berate him. The micromanagement that Glover's reports to Lowe caused frustrated Joe, Reinke, and other employees as it interfered

⁷ Please refer to the Superseding Indictment.

with their ability to perform their daily duties. Their frustration was compounded by the fact that Glover did not appear to contribute to the running of the animal park in any tangible way. Glover would often shirk his responsibilities to the animals by arriving late to work, if at all, not feeding or giving water to the animals, nor cleaning or repairing animal enclosures. After months of frustration, Jeff Lowe insisted that Joe offer Glover US\$3,000.00 to leave G.W. Zoo and to return to his home in South Carolina. Joe felt he was fully within his rights to dismiss Glover as in a Performance Contract Joe and Lowe signed in February 2016 to opine whether a volunteer and/or employee of the animal park is “trained enough to work around the animals.” The Performance Contract generally stated that Joe would continue to conduct tours and performances in exchange for free housing and care for his animals.

Additionally, Reinke asserts that if Joe was organizing a murder-for-hire plot, it would be illogical to seek out the services of Glover, a person Joe disliked and mistrusted for always reporting Joe’s activities to Lowe. As Glover considered himself an employee of Lowe, and not of Joe and G.W. Zoo at large, Joe did not have any authority to spur Glover towards his own bidding.

According to Anne Patrick, she had bought Allen Glover’s plane ticket to South Carolina with her PayPal account. Joe was unaware of this fact until he was incarcerated. Anne Patrick stated that the US\$3,000.00 cash Glover received was

from the park, thus the finances between Joe and Glover were not secretly exchanged, particularly to those with access to the animal park's finances. As CEO, Jeff Lowe is ultimately the person responsible for G.W. Zoo's finances. Neither the letter nor Anne's knowledge of the ticket purchase and cash to Glover were discussed during the trial.

Since Joe gave Glover the US\$3,000.00 to leave the park, it would not draw Joe's suspicions if Glover travelled to South Carolina as that is where Glover is originally from. Nor would it draw his suspicions if Glover were to use the funds to enjoy himself in Florida.

The second count of murder-for-hire was another instance where Joe supposedly sought out the services of others to murder Carole Baskin in Florida in exchange for a sum of money. It is postulated that Joe asked James Garrettson to find a person willing to murder Carole Baskin in exchange for a sum of money. Garrettson offered to introduce Joe to an individual willing to participate in a murder-for-hire plot, and Joe agreed to a meeting. Unbeknownst to Joe, the individual was an undercover Federal Bureau of Investigation (FBI) agent. In their meeting, the details of a possible murder-for-hire plot were discussed. Following the meeting there were a few phone calls between Joe and Garrettson regarding the use of the undercover FBI agent to murder Carole Baskin. (Please see Superseding Indictment). **After their initial meeting, there was no contact between Joe and**

the undercover FBI agent. No exchange of money between Joe and the undercover FBI agent occurred, thus the agent was never hired, and no agreement was reached. No harm befell Carole Baskin.

According to John Reinke, Jeff Lowe is very technologically savvy. In Lowe's office he had a computer with multiple large monitors. Lowe would frequently use Google Maps to identify and locate the layout of Baskin's property in Florida. Lowe was the one who presented the layout of Carole Baskin's property to Joe and James Garretson. Garretson initiated many of the aspects that would be included in the second count of murder-for-hire; he showed Joe the layout of Baskin's property, Garretson introduced Joe to the undercover FBI agent, and mediated the discussion of the murder-for-hire plans with the undercover FBI agent. If Joe had been more serious about the plan's becoming a reality, then it is questionable why Jeff Lowe orchestrated all of the meetings and calls; Instead of Joe himself.

According to Timothy Stark, Jeff Lowe knew and controlled everything surrounding the supposed murder-for-hire plot. Apparently, Lowe directed another animal park owner, James Garretson, to call Carole Baskin and alert her to the murder-for-hire plot. Therefore, Garretson who initiated most aspects of the murder-for-hire on Baskin, was also the same person who alerted her of the alleged plans.

The reason offered for Joe's motivation to create a murder-for-hire plot against Carole Baskin was due to their differing opinions on the care of big cats and the constant barrage of attempts by Baskin to collect on their lawsuit settlement and litigation. According to Reinke who knew Joe well, "he woulda never pursued it without somebody kickin' the dog and pushing this along [sic]." Joe's jokes, at most in bad taste, were merely jokes. It would have to be the influence of outside forces to have any action result from the jokes. As it currently appears, the ubiquity of Lowe's influence in the plots indicate that he may have attempted to escalate the threats from hyperbolic jokes to an actual murder-for-hire plot.

This information from Anne Patrick, John Reinke, and Timothy Stark provides necessary context to the events surrounding the two counts of murder-for-hire. Without the information from their testimonies, the Court could not accurately perceive the full ramifications of the counts of murder-for-hire. We believe that if the Court had had access to these testimonies, then Joe's guilt for the murder-for-hire counts would not have appeared as clear-cut or obvious as it did without these testimonies.

Moving on to Counts 3-21, we refresh the question of why the Government, on the precipice of the initial trial setting, superseded the indictment.

The strategy well known within the criminal justice world, is if your case is weak, add as many counts to make an accused look guilty by “splashing” him with counts that make it appear that animal cruelty took place.

This strategy is made evident by the USDA APHIS, Animal Care Doctor, Dr. Bonnie Boone testimony at the trial as to the frequency of criminal prosecution involving Wildlife Counts:

Q. Okay. So, in your experience with the USDA, can you tell us how many matters that you have been involved in -- either just with the USDA or a combination of Fish & Wildlife/USDA – how many matters have you been involved with that have resulted in a criminal prosecution like this?

A. This is the first one.

I don't have any further questions.

Counts 3-11 - Violation of the Endangered Species Act:

Joe was found guilty of 8 counts of Violation of the Endangered Species Act. While Joe worked at G.W. Zoo, he had an exhibitor's license issued by the United States Department of Agriculture (USDA), which permitted him to display, perform for the public, or use for educational presentations his exotic animals. To be granted the exhibitor's license, USDA determined Joe to be a trained professional who had the knowledge and means to properly maintain exotic animals

Much of the Endangered Species Act emphasis was placed onto counts 3-7 due to their seemingly shocking content. Counts 3-7 of Violation of the Endangered Species Act, Joe was accused of having “knowingly and unlawfully took” certain endangered species of wildlife “by shooting and killing them. “The Superseding Indictment asserts that Joe shot and killed five tigers, *Panthera tigris*, to make available enclosures for big cats that were to be boarded at G.W. Zoo for a fee.

According to Anne Patrick, the anticipated big cats that were to board at G.W. Zoo were three big cats, a lion and two tigers. She states that it would be unnecessary and excessive to euthanize five cats to make room for two cats, especially considering these cats boarded at G.W. Zoo every year.

According to John Reinke, the five cats which were euthanized via gunshot were elderly and ill, having lost claws and teeth. During a USDA inspection visit, many of the tigers which were euthanized were identified as needing arthritis medication, which was nearly pointless as the medication would have only marginally improved the tigers’ quality of life. Thus Joe, in consultation with the veterinarian Dr. JoAnne Green, elected to euthanize the five big cats via gunshot. G.W. Zoo often elected to euthanize animals via gunshot as it was determined to be the most humane form of euthanasia. Specifically, gunshot is a more humane form of euthanasia than the process of tranquilizing animals then administering a

fatal injection or other form of euthanasia. The animal park considered the process of tranquilizing animals before euthanasia as cruel because the animals suffered longer, and death was not instantaneous. Also, with tranquilizer the margin of error is much higher, and the animal may need to be tranquilized several times before being properly subdued. Also, tranquilizer before euthanasia is not necessarily more humane because the cats may get seizures or other symptoms from the tranquilizer. Thus, the animal park elects euthanasia via gunshot due to having instant results which do not prolong the animal's misery.

Joe and the G.W. Zoo's perspective on the humanity of euthanasia via gunshot is consistent with the guidelines on euthanasia by the American Veterinary Medical Association (AVMA), who the United States Department of Agriculture (USDA) also consult in drafting their guidelines. One of the issues with the use of tranquilizer in the process of euthanasia is that animals can be aroused "to a conscious state ... with sufficient stimulation, such that animals sedated or immobilized with these agents may still be consciously aware of, and connected to, their environment", thus being aware of their suffering during the euthanasia process. This consciousness is significantly less likely with a physical euthanasia method, such as gunshot, "where loss of consciousness is instantaneous and unambiguous."

When physical euthanasia methods, such as gunshot, are properly conducted by skilled personnel “physical methods of euthanasia may result in less fear and anxiety and be more rapid, painless, humane, and practical than other forms of euthanasia.” Thus, Joe and other staff at the animal park’s use of gunshot to humanely euthanize big cats is in alignment with the recommendations of the AVMA, one of the most prestigious not-for-profit associations representing American veterinarians.

In the Superseding Indictment, the gunshot administered to the five tigers is consistent with being “took”, which is a term that encompasses the actions to “harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” While shoot is included within the definition, it is within the broader context of the term that the animals are inhumanely treated and harmed. This intention is the complete opposite of that of euthanasia via gunshot which aims to induce death in a manner that is a matter of the animal’s welfare and to use humane techniques to induce the most rapid, painless, and distress-free death as possible. Thus, Joe administers euthanasia via gunshot as a means to humanely end the life of animals where their death is in the primary interest of their welfare. As Joe has an exhibitor’s license from the USDA, he is identified to be a trained professional who has the knowledge to properly maintain his exotic animals at every stage of their life, including at the end of their lives.

The intention of the Endangered Species Act is to protect and recover imperiled species. As a person who had a USDA-issued exhibitor's license Joe was qualified to care for exotic species. His activities, particularly in regard to Count 3-7, did not in any way imperil the big cats in question nor did it inhibit the propagation or survival of the species. The big cats were either elderly or so ill, that it was in the best interest of the animal to euthanize them. The use of the violation of the Endangered Species Act is not a castigation against Joe's character as he did not intend to harm the animals or interfere with their regulation, instead he humanely cared for them as is his responsibility as a person with an exhibitor's license.

According to Anne Patrick, in regard to count 8, the cubs in question were taken by a G.W. Zoo employee, Kelci Saffery, to Jeff Lowe in Las Vegas. Lowe often had animals from the animal park brought to him in Las Vegas. Saffery transporting tiger cubs from Oklahoma to Nevada at Lowe's behest does not indicate that Joe violated the Endangered Species Act. Even if Lowe proffers the cubs for sale while in Las Vegas, if Joe was unaware of the offer and the cubs were not actually sold, it is not possible to have violated the Endangered Species Act by "knowingly" offering for sale the tiger cubs as there would have been no indication to Joe that the cubs were being proffered for sale. According to John Reinke, it was often that Jeff Lowe would request that animals from the parks would

accompany him to Las Vegas, but as Reinke was the primary person who typically organized documentation for animal transport, Joe would have unlikely been involved in the logistics of the animals' transport to Nevada.

This information from John Reinke provides the necessary context to the events surrounding 6 of the counts for Violation of the Endangered Species Act. Joe fulfilled his duty as an individual exhibitor's license from the USDA to care for his exotic animals, including caring for their well-being at the end of their lives by humanely euthanizing the animals. These counts could easily be misconstrued to make Joe appear ruthless; however, in the proper context Reinke provided, Joe's actions were humane, compassionate, and prioritizing the welfare of the exotic animals. To re-understand this count within the context of humane euthanasia, is to re-understand Joe not as a person capable of the cruelty that is required to orchestrate a murder-for-hire plot.

Due to Anne Patrick's knowledge, it is revealed that Joe had no knowledge if the proffer of tiger cubs for sale in Nevada as Jeff Lowe often had animals from G.W. Zoo accompanying him to Las Vegas. Without her knowledge, it would not be clear that Joe was not the person primarily in charge of the animals, but in fact CEO Lowe who ordered the animals to be brought to him.

We believe that if the Court had had access to these testimonies, then Joe's guilt for the Violation of the Endangered Species Act would have appeared to the

Courts or the federal jury as a clear flaunting of the rules. Instead Joe's conduct was aligned with the spirit of the Endangered Species Act.

Counts 12-21 - Violation of the Lacey Act: False Labeling of Wildlife:

Joe has been accused of having "submitted false record, account, and label for, and a false identification" of several big cats and a lemur. It is alleged that Joe "designated and caused to be designated on delivery forms and Certificates of Veterinary Inspection (CVI)" that wildlife be seen as donated or transported for exhibition only, when they were actually being sold across state lines. The 10 counts are all for instances that occurred between November 2016 and June 2018. Please refer to the Superseding Indictment for more information.

Counts 12-20 of Violation of the Lacey Act for the False Labeling of Wildlife are specifically in regard to 9 instances where lions and tiger's delivery forms and CVI were incorrectly indicated that the big cats were sold to other zoological parks in other States when they were actually donated or momentarily housed in those zoos.

In the February 2016 Performance Contract that Joe signed with Jeff Lowe that required Joe to conduct the exhibition of animals and the conduction of zoo tours. Joe was only responsible that the animals were transported "in proper carrying containers," however he was not responsible for the paperwork that was associated with the transport of the animals. In fact, John Reinke was ultimately

responsible for verifying all of the delivery forms and CVIs were being completed. If brought to the stand, Reinke likely would be able to explain further the standard practices regarding the delivery and CVI forms at G.W. Zoo.

The CVI forms were completed by the local veterinarian Dr. JoAnne Green. Dr. Green's secretary took responsibility for the forms mistakenly filling out the forms incorrectly, indicating that the animals in question were being sold when in fact they either were being donated or momentarily moved off of the animal park premises. Joe was aware that the animals were being moved and according to the Performance Contract his consent was necessary to move the animals but was not directly involved in the logistics of moving the animals, especially the creation of the delivery forms and CVIs.

According to Anne Patrick, Joe began the process of moving off the park and finding a new place to live because of threats that Jeff Lowe made against his husband, Dillon Passage. Due to the threats against Dillon's safety, Joe no longer felt that his animals, his husband nor himself were safe at the animal park. Joe began the process of moving his animals off of the animal park and sending the animals to other parks and zoos in the hopes that once he found a new place to live, he could retrieve his animals and start anew.

Anne Patrick stated that Joe's attempts to find a new home for his animals lead him to reach out to Howard Baskin in January 2018, Carole Baskin's husband,

to perhaps take over the animal park to assure the safety of his animals. When Joe first entered Grady County Jail, as would be evidenced by emails between him and Anne Patrick, he spent much of his correspondence attempting to coordinate housing for Dillon Passage and their animals. In October 2018, Joe was so concerned for the safety of his animals that were still at the park that he directed Anne Patrick to have the USDA APHIS send people to go check on the park and the state of the animals still under Lowe's supervision. In a March 2019 email with Patrick, Joe makes mention of having sent some tigers to Colorado as a direct response to Jeff Lowe assaulting Dillon Passage.

Count 21 of Violation of the Lacey Act for the False Labeling of Wildlife is specifically in regard to the transfer of a 10-week-old female lemur, *Lemuridae*. Joe is accused of "submitted a false record, account, and label for, and a false identification" of the lemur from himself to Ringling Animal Care in Ringling Oklahoma when in fact "the lemur had been sold and transported in interstate commerce."

First, one of the laws (16 U.S.C. § Section 3372(d)(2)) that Joe supposedly violated, directly relates to interstate commerce; as the lemur did not leave the State of Oklahoma it is not possible for Joe to have violated the law. The lemur in question had been given to James Garretson, who had worked at Ringling, who owned the lemur until it bit him, and he did not want the lemur anymore, so he

gave it to a friend. Anne was aware of this, if she had been interviewed this information would be available to the court

The first 9 counts of Violation of the Lacey Act for the False Labeling of Wildlife are related to a clerical error made by the secretary of Dr. Green. As John Reinke would be able to attest to, he is the primary individual who was supposed to verify the forms, thus any mistake would be his responsibility. And if the responsibility is not with John Reinke it is ultimately with Jeff Lowe as the CEO of G.W. Zoo. Therefore, it is excessive to accuse Joe of willfully designating the misinformation on the delivery forms and CVI forms when the mistakes were due to the inattention of others. The 10th count is related to a lemur who never left state lines, as Anne Patrick would be able to attest, Joe is not capable of violating a law that is specifically related to interstate commerce.

We believe that if the Court and federal jury would have had access to these testimonies, then Joe's guilt for the Violation of the Lacey Act for the False Labeling of Wildlife would not seem obvious as Joe clearly did not intend to sell the exotic animals across state lines, because he was temporarily relocating the animals as he was seeking new housing. Any mislabeling that indicates that the animals were to be sold can simply be attributed to a clerical error.

Witnesses:

As is clearly demonstrated above, without the testimonies of Anne Patrick, John Reinke, and Timothy Stark there is a lot of evidence and information that was missing from the Court and federal jury's consideration, hindering their ability to accurately assess Joe's innocence.

Those who were permitted to testify, including Allen Glover, Erik Cowie, and James Garretson, were people who disliked Joe for their own personal reasons and thus had a motivation to not only testify against him, but to assure that the Court decided on a guilty verdict. Many of the narratives and events that they said as they testified and characterized as the truth could be directly disputed by the knowledge and evidence that Patrick, Reinke, and Stark could provide the courts. Patrick, Reinke, and Stark were never interviewed or allowed to testify despite their repeated efforts to provide their first-hand knowledge to Joe's defense.

Allen Glover was directly involved in the murder-for-hire plots, and he testified on his experience to the court. Without testimonies from others in regard to the plot, there was no other information received by the Courts and the federal jury to compare to his characterization of the events leading up to and surrounding the supposed plan. Anne Patrick and John Reinke attest that Glover did not like Joe and even referred to Joseph as an "asshole" while testifying, his testimony was clearly colored by his personal opinion of Joe.

Timothy Stark was a friend of Jeff Lowe and Allen Glover. Stark states that once when he was spending time with Lowe and his wife, Lauren, that Lowe was laughing about having “set-up” Joe on the murder for hire plot using Glover’s help. Also, once when Stark and Glover were at a bar together, Glover told Stark that Lowe organized rehearsals for Glover to prepare what to say in response to questions pertaining to the murder-for-hire plot so as to distance his involvement in the plot and imply that the sole orchestration of the plot lay on Joe’s shoulders. Without Stark’s testimony, the relationship that Glover had with Joe could not accurately be depicted, nor could Glover’s reasoning to participate in the supposed plots.

Erik Cowie, an employee of G.W. Zoo, also testified. Anne Patrick had been roommates with Cowie for two years and knew him well. Cowie had been friends with Joe and held him in high regard. Unfortunately, Cowie struggles with substance abuse, particularly with alcohol. His health and alcohol abuse became significantly worse after the death of Travis Maldonado, Joe’s previous husband.

As Cowie dealt with his mental health issues related to his alcoholism, Joe became concerned for the animal’s well-being in Cowie’s presence. Cowie’s growing dislike towards Joe increased when some of the big cats Cowie was most emotionally attached to were moved away from G.W. Zoo. Joe had given Cowie an ultimatum; if Cowie wanted to accompany the cats, he had to stop his alcohol-

abuse. Unfortunately, Cowie was unable to overcome this, and thus he did not accompany the tigers. Without Patrick's testimony, the souring of Cowie's relationship with Joe and his understanding of the events at hand could not be adequately depicted.

James Garretson testified that Jeff Lowe offered him \$100,000.00 to help set up Joe. Anne Patrick was aware that Jeff Lowe had offered Garretson \$100,000.00 to "set Joseph up", specifically in regard to calling Carole Baskin to make her aware of a murder-for-hire plot against her. Without Patrick's testimony, Garretson's relevance and involvement in relation to the events discussed would not be apparent to the Court or the Federal jury.

Another person who was never asked to testify but clearly was involved in many of the events related to counts against Joe is Jeff Lowe. Lowe's direct involvement in many of the charges, and particularly his relationship with Allen Glover and James Garretson would make his testimony useful to create a fuller depiction of the events for the Court and the federal jury.

In the end, Jeff Lowe, the mastermind and implementer of the so called "murder for hire" plot, avoids prosecution with an immunity agreement with the Government. But Joe gets convicted with the same evidence that inculcates the Jeff Lowe as the principal actor.

As demonstrated above, the testimonies of Jeff Lowe, Anne Patrick, John Reinke, and Timothy Stark would have provided crucial information regarding nearly every single count that was brought against Joe. Without the crucial context and evidence that their testimonies would have provided the Court and the federal jury, the innocence of Joe could not be scrupulously and accurately determined.

Conclusion:

We respectfully contest the verdicts and the severity of the punishment made in the case of *United States of America vs. Joseph Maldonado-Passage*. In the above sections, we have demonstrated that with a fuller understanding of the circumstances surrounding the murder-for-hire, the Endangered Species Act, and the Lacey Act counts, Joe's innocence will seem more tenable to the Court. Thus, the information must be presented so that Joe's innocence can be more accurately assessed. In particular we have demonstrated that the testimonies of others, especially those of Anne Patrick, John Reinke, and Timothy Stark, will provide the necessary context and information to better evaluate the various counts. We trust your ability to see the truth in these statements and re-evaluate the previous verdict and restore justice to Joe, his family, and his community.

Respectfully Submitted,

Francisco Hernandez, Counsel for
Joseph Maldonado-Passage

Websites Used:

- https://www.aphis.usda.gov/animal_welfare/downloads/big_cat/position.pdf
- https://www.aphis.usda.gov/animal_welfare/downloads/big_cat/declaw_tooth.pdf
- <https://www.fws.gov/policy/library/2016/2016-07762.pdf>
- <https://www.avma.org/sites/default/files/2020-01/2020-Euthanasia-Final-1-17-20.pdf>

STATEMENTS

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

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§ **Application No.** _____

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Joseph Maldonado-Passage

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Anne Patrick Statement in Support of Pardon

So, this is how I think the trial went - remember, I wasn't there in person. However, based on everything I've been told they never had a case to begin with. Even with the tape obtained by the undercover fed and James Garretson's involvement in the case the prosecutors only found "evidence" for the grand jury after Jeff Lowe and Allen Glover called and claimed that Joe had paid Allen 3000 dollars to kill Carol Baskin. This was their first and biggest mistake: taking two felons at their word with no substantial evidence other than the tape and hearsay. Again, I wasn't there, this is just what I've learned about the case partially from what the US attorney Amanda Green says in the *Tiger King* documentary. But what about those tigers Joe euthanized despite them supposedly being healthy? The only reason they dug up those tiger skulls with shotgun holes in them was for the

shock value. Nobody bothered to dig up the rest of the buried skeletons to see their deformed legs and claws. Simply looking at the heads alone you can see teeth missing and their roots showing, clearly indicating these tigers were in pain. I was at the zoo once while it happened. I didn't see it myself, but I knew that Joseph was putting down the older sick cats before we left the zoo because Jeff Lowe had no idea how to take care of them. I don't think anyone knows that he had a vet there to help euthanize the sick cats.

Anyways, let's get to my big question: Why the hell didn't they summon or subpoena me? I was with Joseph morning, noon, and night the months following his husband's death. I went home a week here and there for medical stuff but never for too long. John Reinke was also never given the opportunity to testify and he was park manager for fourteen years! I could write a list of people that should've been called up, but it'd be a mile long. The only people who his lawyers got to testify during the trial were Joseph and a lawyer from PETA. Why would you have a PETA lawyer testify on an animal abuse case? Why would you allow the defendant to testify? Any first-year law student knows better than that.

Now we can get into how they managed to work the whole murder for hire thing into a "we hate Joseph" thing. The prosecutors started off with the shock value of the tiger heads with big holes in them, then they told the jury that he killed the cats in order to free up more room for the healthier ones. Well, I think that's

absolutely ridiculous. We moved out plenty of cats and there was more than enough room for all of them. Some of the tigers had been living there for more than eighteen years. But after the jury hears all of these horrific claims, they're convinced he's a monster. That is why they added the Fish and Wildlife counts to the murder for hire charges because they didn't have enough evidence to convict him for the dead tigers in November of 2018. Allen Glover took the stand and admitted how much he hated Joseph, calling him an asshole and god knows what else. Erik Cowie loved Joseph and said so in a lot of footage. Now all of a sudden, he hates Joseph because he "kills cats and deserves to be punished". I was Erik's roommate for two years and could have discredited him in seconds. He was pissed because Joseph took his favorite cats and moved them to another place; Erik was heartbroken. But Joseph had a deal where Erik could go with the cats on the condition that he quit drinking. Of course, Erik didn't want to give up alcohol, so he wasn't allowed to move with the tigers.

Oh, and before I forget, I bought Allen Glover's ticket to South Carolina with my PayPal. They definitely knew this because Joseph sent me a letter about it. You would think they'd call me in as a witness at some point, right? The money that Allen got was cash from the park, but it could have been Jeff's signature that was stamped on there. Jeff Lowe is always posting on Facebook about how he'd been setting Joseph up for over a year, yet Jeff was never called in to testify either.

James Garretson says that Jeff offered him 100,000 dollars to set Joseph up and that's why he got involved again. For some reason, nobody was bothered by this.

It's obvious everybody on the stand had some problems with the feds that they wanted to be swept under the rug. James Garretson was being investigated for credit card fraud among other things. Jeff Lowe had just gotten arrested in Vegas for gun and drug possessions, as well as animal abuse. Can you say, "let's make a deal to save my ass"? The woman who Joseph trusted to bring his phones, black book, and QuickBooks accounts to his attorney's office decided she would take it upon herself to download them onto her personal computer, read them, and then give them to the US attorney simply because she was in a fight with Joseph's husband, Dillon. Now she's posting all the information I sent to Erik on her Facebook. I also spoke with Joe's attorney Kyle Wackenheim quite a bit. I told him that Jeff asked me personally if I could get someone to kill Carol. I assume he asked me to do that because I'm from Boston and people think we're all a part of some gang. I got a call from Kyle the Thursday before the trial asking if I would be there. I asked him why he didn't request me sooner and how on earth he expected me to get there in time. Kyle told me that I wasn't being subpoenaed, he just wanted to know if I'd be in the courtroom that day. I asked why I didn't get a subpoena and he refused to answer me. I also explained that if I did come, I'd

probably need an attorney since Jeff Lowe and the rest of his people would be there.

I truly don't believe the jury had all the information they needed that day. They came back from deliberation with a verdict for 19 charges in less than three hours; how on earth could they have discussed the case in such a short time? As for Carol Baskin she told the jury she'd been in fear for her and her family's lives for ten years, tears flowing and all. I have an article she is quoted saying "Joe is just the dumbest." To be honest, there are people far more intelligent and wealthier than Joseph trying to make me disappear." I don't think they brought up anything about the fact that Joe was planning on leaving the park. We had been looking at properties to move some of Joseph's cats and animals for a long time. Joseph actually reached out to Howard Baskin around January of 2018 to make a deal. He wanted to give Carol the park as long as she left him and his sick parents alone. There was truly no evidence that Joe wanted to kill Carol at this point; it would have undermined everything he was trying to do.

I guess the worst thing about this whole trial was the timing. Joseph had recently lost his husband Travis, whom he adored. After that, he had no will to live or any desire to be at the park at all. The property was ruined by the memories of Travis' incident. After Joseph met Dillon, he said he wasn't going to make the same mistake he made with Travis. He just wanted to live in peace and travel with

Dillon. He was going to keep the animals as personal pets instead of running a zoo. Again, this is information that we all knew. That's me, Brenda, and Amber (who Joe took care of for over fourteen years along with her children). She was Joseph's heart and soul. I'm not sure if they knew about us looking at properties but everyone knew he wasn't about to make the same mistake again.

I'm not exactly writing this in chronological order, mostly just remembering things as I write. Either way, none of these people were ever called to the stand. The day Jeff got back from Vegas in April he realized he couldn't go back since he was running out of money and likely being watched. So, he came to the zoo. According to what I was told he went to every person and told them to make sure they were loyal to him or he'd bury them all. Brenda told me this. Jeff never came near me; I didn't work there, and he knew I wasn't afraid. Then he posted some mail of mine from the OKC Tax Commission on Facebook with all kinds of threats. I sent it to Joseph's attorney to show him how he was getting people to turn on Joe simply because they feared Jeff. They never subpoenaed Joe's husband Dillon either - not a single question about any of this. The only people who were put on the stand were the people that wanted Joseph to rot in a cell. There were so many other workers at the park his defense should have requested: Jorge, Katrina, Brenda and her son Cody, Jackie, Saff, etc.... From what I was told, Saff did 30 days in jail because he refused to help the feds. He told them "If you want to bury

him go ahead but I am not throwing dirt on his grave.” Everyone that testified was threatened with cub trafficking since they were the ones driving the cubs, so it was in their best interest to throw Joe under the bus. Speaking of, the five cub trafficking charges were based on medical entry and clerical errors by Dr. Green’s secretary. In her interview, she informed the agents of this fact. But she was never called to testify by the Government or the Defense. I was given this information by John Reinke; he couldn’t believe they charged him with those five cases despite being given that information.

Alright, so this is everything I know at the moment. I’m sure there’s more, but I need time to recollect everything. If you have any questions or need clarification let me know and I’ll do my best to help.

Thank you,

Anne Patrick

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

UNITED STATES OF AMERICA	§	
	§	
	§	
vs.	§	APPLICATION NO. _____
	§	
	§	
JOSEPH MALDONADO-PASSAGE	§	

Hey, I'm John Reinke, I've worked with Joe for 14 years at GW Zoo and we became pretty close during that time.

I know a little about the zoo, daily operations and some of the ins and outs and some of the excitement I guess you should say. It's been a big part of my life for fourteen years; it changed my life, ended up getting divorced over it and I'm moving on now; I don't know, I still love animals. People, not so much, I hate people. People stab you in the back and animals won't, they just bite you and go on.

As far as the animal transfer forms, most of the time I wrote “donated” just because it was easy... I mean, our inspector was hammering our ass about filling them out properly anyways, we would never put a driver tag on a car, but they wanted full descriptions from then on. They wanted the driver’s license number, the tag number, the type of the car, the color of the car, the name of the person, and they never wanted all that before. It was just donating it, there it goes, this is where it’s going, this is where it’s coming from, and that was it! And then towards the end, they just started asking for more and more information about who was doing what. And I’m sure it had something to do with what was going on because during the interview they wanted to know, you know... they had me giving somebody a brown envelope, in a certain car and a certain guy and I said; you know I don’t remember that, I mean, I did so much stuff, I transferred so many animals, who the hell knows what it was. But I’m sure it had something to do with all that.

You know it takes...when you dart a cat, it takes about 15-20 minutes for them to actually go down towards safe enough to go in and sometimes it takes longer, I mean if I miss the dose I have to dart it twice

To be honest, Jeff and Lauren didn’t work much at all, they did not work, they sat. Jeff sat at his desk and Lauren just was Lauren. She was around... They

didn't clean or give the animals water; they still don't do none of that shit. They wouldn't clean cages or feed cats, every now and then they would go back and visit their cats, but other than that, they just walked around and looked pretty and entertained them young guests. They didn't rake to pick up poop, either.

The reason I lost my second foot was because I wouldn't quit at the zoo. I am not the quitting kind of guy; I work and work and work until I just can't no more. I have been bit; I have been scratched by just about every kind of animal out there. I've been bit by ticks, I've been bit by a bear, clawed by a mountain lion, been bit by a tiger, I have been bit by a lot. I mean, I was there when Joe got bit, I got bit, Joe got bit, but Joe survived, you know, he took the injuries. You know, when USDA would show up, they started bringing armed guards; they started bringing feds with them. I don't know if that's what it is. They felt threatened by Joe for some reason. I don't know why but our facility was the only facility they had armed people with the USDA inspectors. You know, USDA inspectors ain't all veterinarians; a couple of our inspectors were actually fresh out of school and got a license to be an inspector and then bam, we get them.

The inspectors are new, and they don't always know everything. I mean, they don't even know all the laws that they are supposed to be promoting and

teaching us. Joe wasn't always the kind and friendly guy; most of the time he was because I would make him. Most of the time I wouldn't let him do the inspections. I would do them because I don't need any turmoil with the inspectors. I didn't need any write-ups so I really tried to pacify him; if I couldn't fix it right there on the spot I would promise them that we'd get it done. I built a pretty good rapport with the USDA inspectors, you know every now and then you know they would hear Joe yell or something like that, but it was stupid whenever he did. If he had something to say it was stupid because the week before we could do it this way but the next week we can't do it this way but don't tell us we can do it one way and not the other! Don't tell us that there is a law about how high the fence is when it's not written in gold nowhere! You know this is just a speculation, we got to spend \$50,000 to make your speculation right, and it might be wrong next week? That's bullshit.

It was only speculation. That fence thing was a nightmare because we had, I don't know, 500 pens man, I mean, we had miles of pens we had to fix and they would give you a week or two you know, sometimes a couple of months to fix it, which was just not going to happen! It would take months to do all that.

The touring agencies have no idea what they're looking for, they might have a little bit of a clue but the big picture, they have no idea. They will ask you to do stuff like; we got written up for a dead mouse on a sidewalk. So we had to put out mouse traps to catch all this stuff to keep them from going in cages and when they eat the poison, how are we supposed to tell them where they're going to die? We can't tell that mouse where to die. All we can do is pick that mouse up. We got wrote up for that a couple of times actually and I don't you know they ask you to do stupid stuff like I tell you now. How in the hell are you going to tell that mouse; "you can't die in the cage man!" It's just like school, just because you are learning this here doesn't mean you're going to do that out here, this is a whole different world out here... They got a blue book that is incredibly thick and all it talks about is seals and whales and dolphins. I mean...

Then there's Saff. You know, Saff came back, and Joe had sent some money, and I can't remember now what the transaction was but there was supposed to be money leftover and Saff just flat out lied and said she didn't, she didn't; there wasn't no money left, no money left and no money left, and when we found out there was money left, Saff had spent it, kept it and spent it... But it took me forever, I mean Saff lied right to my face about that. When Saff came along, I had my doubts about Saff at first, I would've sworn Saff was animal rights and I

brought it up to Joe and several others, I was just skeptical but I was skeptical about everybody, let me put that out there too. But then one incident, you know Saff lost an arm, got bit, got pulled in the cage and they amputated from the elbow down. They just de-skinned it and right after Saff had surgery and was in the hospital, I think the... Oklahoman printed it, one of the animal rights groups said that there was supposed to be an accident but it was not supposed to be this severe. Well that just made the hair on the back of my neck stand that much more, because I just didn't trust them you know, I just... I had my doubts, just some things that were said, things that were done, I just knew something was fishy. Was she animal rights? I don't know.

John Reinke: I had my doubts. Like it was... I mean me and Joe talked about it too. I would've sworn after that comment was put in the press and put in ink, I was confident that that accident was set up and somebody was paid to have that accident happen. I was pretty confident at that time. How do I feel about Saff now? You know I fired Saff a couple of times, Joe would hire her back and it is just one of them things I just got used to, If I fired her Joe would hire her back because we needed help. I just, I warned him all that, I don't if Saff's animal rights, I have no idea.

You know Travis got stuff from Jeff all the time from Vegas you know because you can buy that stuff after, everybody knows Travis smoked weed and did his little oils and stuff that is a no brainer I knew that. I think the family came out and said he wasn't on drugs, well they're crazy as hell, that boy smoked more weed then they can grow in Oklahoma. Jeff would mail Travis some packages and stuff like that and at the time Joe was taking CBD oil because we heard CBD oil will have helped you, if you took it and you didn't get the high of off it, and then Jeff had actually sent not CBD oil he sent hash oil and you actually get the high effect of off it and it messed Joe up there for a while. Took a little bit to figure out what was going on but we figured it out. But you know I think Jeff Lowe knew better I think Jeff knew it better that is why he sent it I think. Jeff came along and they would spend, I mean he put in monitors at his desk like a theatre, and he would sit there and just Google women, you know girls actually young girls; oh this would look good look at this Lauren, oh this would look good look at this Lauren. I mean it was crazy what they would do, they would sit there and hunt for their next victims or prey or whatever you want to call it. You'd see girls come in and out of their house all the time you know; "I got a baby tiger, come see this". He actually did most of the looking up for where Carole's property was because he could work Google Earth nice, I mean he would zoom right in on shit and make it look good, so I mean, that's how Joe actually had seen an outlay of what Carole's

property was, it was Jeff Lowe, Jeff showed it to him and he said; “look at this, look what I can do” and then holy crap. But I mean he had huge monitors and everything; it was like watching a theatre.

But yeah, he spent most of his time online when he wasn’t doing that he was looking up stuff to buy and sell. They started that credit card thing, they came to me and asked me if I’d take one to my doctor and get him to cash it and I said; “are you kidding me, I need my doctors!” He said: “I would give you 50% of it”. No, that’s not going to happen and that’s how I found out about the illegal medical card stuff. I think he bought a few sets of teeth for some of the staff and I don’t know, I don’t know if Carole or Jeff Lowe paid for Eric Kelly’s teeth, but I see he got new teeth too down in Florida so, it’s kind of weird that he’s in Florida, but I don’t know.

That sponsor came in through the zoo, I don’t remember her last name, but I know her name was Cheryl and she had some money. She had some retirement money, some big money, and Jeff just milked her dry man... I don’t know if she is still involved or not, heard she was involved in Thackerville, but I don’t know if it’s true or not. Not there anymore to confirm all that... But yeah he milked her dry. She bought a bunch of material to build cages, bought him a bus for Vegas and had

it wrapped and then never used it. Hell I know, I am in the vinyl business I know what that wrap costs, holy shit! Then I hear he's talked her into buying a property in Thackerville too, and I don't when she quits, she just keeps giving to him and giving to him and getting conned and worked over.

Jeff started this Vegas thing and every time he would go to Vegas, he would call Joe; "I need some money, I need some money, need some money", all the time, and Joe was having to overnight him some money through Wal-Mart, I mean constantly. And then we would have to swap out cubs, he'd take cubs out there, if we got the cubs back he'd swap them out. And they'd come back mean and shit because they didn't have no training or anything. I know a couple of cubs didn't come back, a couple of animals didn't come back; Raccoons didn't come back, skunks didn't come back, but we had a couple of older tigers that we had to put down and everybody knows it. Ever since I started, if you were there a year, Joe would make you a necklace with a tiger tooth. Well I had cut some teeth out of the tiger, and Jeff Lowe wanted them, so we had to give them to Jeff Lowe. I don't know where they went. Well one day, we had an older tiger that we put down and Jeff says "I need the feet"! I said "what do you mean you need the feet"? He made me cut the feet of that dead tiger and put them in a bag so he could take them to Vegas to sell them. So I did, and long story short he forgot them and didn't take

them, so I actually buried them. I was staying at Jeff Lowe's house after my cabin got sold out from under me, and all that after I'd quit the first time. I mean anyways I was staying at Jeff Lowe's house and I was putting ice-cream in his freezer and I saw the feet in there. So I said there's no fucking way I am going to leave these in this freezer. First of all it's illegal, second of all, he didn't need to sell them in Vegas, so I actually buried them. I mean last I heard he thought Saff had robbed him because Saff was staying there too or something. But I just let it go and never told him different because I didn't want to be a part of selling fucking tiger feet in Vegas.

But you know, we had some tiger hides done and I wanted one of the first tigers that I had taken care of, and Joe had 4 or 5 of them done, and Jeff Lowe had one on his wall in his cabin. Well I had come home for the weekend and Joe called me and said, "where are the keys to Jeff's cabin." I said, "why?" He said, "Jeff Lowe wants them so he can send the hides to Vegas he's got them sold." And I said, "that's not on me guys", I said you can't sell them tiger hides across state lines. Anyways, I told them how to get them in the cabin, and they got in the cabin and sent them to Jeff out in Vegas. I actually think John Finley actually hauled them out there. I think he met them halfway or something but anyways he got the hide and it never came back so I am sure he sold it in Vegas. Travis was not afraid

to give you his opinion. Travis was not fond of Jeff Lowe at all because Travis knew how much money Joe was sending Jeff Lowe out in Vegas. And I mean, it wasn't a 100 here a 100 there, it was thousands here and thousands there. I mean it was \$5,000 – \$6,000 at time and Travis had seen that. So Travis had to bite his tongue, stay to himself, if Jeff was in the park Travis just stayed away, because Travis would have confronted him and made it known; that was just Travis. I miss the shit out of that guy. I loved that guy. Out of all the puppies Joe ever had, Travis was the one I liked the most. But for that reason. He would tell you how he felt but if I needed something, Travis was there. And he was just not fond of Jeff Lowe at all. A lot of people brought up all the deaths that we have of babies. That was all KMR implemented. You know, KMR came out with a bad formula, we had 25 cubs die in a period of time and there is paperwork and write-ups and an FOI (Freedom Of Information) out there to prove - I mean KMR sent us a pile of freaking formula because they knew they'd screwed up and that's how those cubs died. We didn't kill those cubs, we didn't use knives on those cubs, those were all from KMR.

That was that one incident and then they fixed their formula and never had a problem again. I could be a spokesperson for KMR because I have saved... I am not going to lie; we've had a bunch of cubs in 14 years. I saved a bunch of cubs on

KMR. You know it's something that happens, and it's not just us, it's every zoo out there. They are all pulling their cubs, trying to make them better cubs and make them survive, because mom won't necessarily take care of them all the time. But when you do have a cub that is deformed or something wrong, club footage you know, you probably should euthanize it. And that's what needs to happen. People don't look at the big picture, you know, at one time we had 189 cats and we had... I don't know, at one time I probably had 24 cubs born within a 4-week period. We were not expecting that, we took some cats in and then they got pregnant.

When you have that many cats you're going to have put some down for old age or problems. We had a protocol that said: if we couldn't get the vet and we needed to take care of something, that we could euthanize them with a bullet. It's more humane to euthanize them with a bullet; it's quick. If I got to dart that cat, sometimes I miss the medicine and I have to dart them 2 or 3 times. Sometimes I miss the dart. You are tormenting that cat; you are running that cat to death. It's just mean to do it that way, if you are going to euthanize them. Everybody thinks it's humane. They need to watch it one time and see how humane it is. Sometimes they go into seizures, it's not always pretty. A bullet to the head is instant, and it's done.

Those were not young cubs, rumor has it Lauren said that they were 3 and 4 years cubs, she is full of shit, those cubs were all 17-18 years old, at the top of their lives, they weren't going to live much longer. They have been declawed. We had just gotten told by the USDA we were going to wrote up if we didn't put them on arthritis medicine every day and took care of this problem and holy shit that's expensive and you got to trust your staff to give the medicine. It's just... it was just not going to happen that way. So Joe elected to euthanize them, and he did, which was his right, I don't know why they made it a big deal. Go shoot your horse in the head when he breaks a leg, you can't do that anymore now. Because if Joe can't shoot his tigers because of a medical problem then you can't shoot your horse for a medical problem. So call a vet, pay that damn \$700 and have them euthanized!

Farmers will walk up to their truck, get their shotgun or their rifle, and then shoot a dying animal. That's just the way it happens. It is horse shit to prosecute Joe for doing that to five tigers, there's papers somewhere that tell us we had to put them on our arthritis medicine, and I know there are, somewhere.

The arthritis medicine won't even give them a better quality of life. It doesn't, you know, I am on arthritis medicine and somebody probably needs to put me down. It's a pain in the ass, I get sick every time I take it, it sucks! I mean I am

ruined for a day and a half every time I take it and I have to take it once a week. I wouldn't want an animal to go through that and to see that now and see what they did to Joe, it's just wrong. When Jeff Lowe started his Las Vegas thing, somebody needed to run the park. We had to have money to run the park, we had to have checks to pay bills and all that. Jeff Lowe went and got a stamp of his signatures so Joe could stamp checks and pay the people that got checks, and pay the bills, and stuff like that. Jeff Lowe gave Joe permission to use that stamp, and now Jeff Lowe comes out and says Joe illegally used this stamp and stole all this money. That's bullshit! I don't think Jeff was on the stand, I think it was Lauren that made the comment that Joe illegally used that stamp, that's bullshit. Joe had permission to use that stamp, and Jeff gave it to him.

If Jeff was in town he would sign the checks. He would sign five or six checks before he left, and then when they found out there weren't enough checks is when Jeff Lowe came back and got the stamp for him and gave him permission for the stamp. You know, the prosecution was going to use me in a suit, in a court case, but they didn't need me so I got to go to the end of the trial and I got to be there for the reading of the charges and all that stuff, and then I got to be there for when Jury came back in convictions. One of the charges was that the health certificates were illegally filled out, they were filled out wrong, which made it

illegal. And you know, when we did health certificates, Dr. Green never checked any of the boxes ever. The whole fourteen years I was there, she would never check the boxes of selling, trading, donating or any of that, she never did any of that. We didn't either, we'd just leave it blank. For some reason, her secretary went up and checked the "sold" box, and then they convicted Joe of something somebody else did on a health certificate. That is so wrong! I can honestly tell you Joe... I bet Joe didn't see health certificates, because that all went through me, I took care of health certificates, I took care of the transfer forms and they convicted Joe because he was "ultimately responsible" is what the judge said, but how are we responsible for something somebody else checked on that box? I mean, if that's the case, anybody could have checked anything on there. I mean, I could send somebody to jail just by putting an 'X' on a damn box somewhere and they don't see it. It was wrong for him to be convicted on that. I nearly died when I heard that conviction come back on that health certificate charge, I said, "holy shit!"

Originally, you know, Joe's attorneys called me; they came and visited me first. Then I never heard from them again, and then towards the end before the trial started they subpoenaed me after they had their talk, I mean, they waited til the last minute to talk to me. They called me and told me that they didn't need me... and it's just crazy.

I felt disrespected. They told me how to buy pants because I couldn't disrespect the judge, I couldn't wear my hat because it is... and I understood the hat thing but I didn't understand the pants thing, because everybody knows me, I don't wear pants. I didn't even own pants. I had to go buy pants for this damn court case, and then they called me and told me that they didn't need me.

They had given me all the ins and outs of everything I had to do to prepare to go to court and everything. They were going to pay me so much money to appear, they were going to pay for a motel room, I had to stay in a certain room, I had the room number and everything. All of that was already set up, and then I believe it was the day before I was supposed to go and leave to go up there, they called me and said they weren't going to need me. And I had already bought pants and got ready to go... I mean I was pissed.

After fourteen years of running the day to day operations and some of the ins and outs of that zoo, nobody talked to me on the stand. Nobody wanted my opinion, and nobody wanted to talk to Reinke. I don't know if it was because I was a drunk or on drugs when I was on the stand or I don't know what it was but they talked to all of those people...they talked to Eric Cowe who was drunk on the

stand, they talked to Glover who was on something when he was on the stand and lied and perjured himself right there on the stand, it's crazy how they talked to all the idiots but they didn't even want to talk to the guy who ran the place. It just... it kind of blew my mind and to this day I still don't understand, why not? Not that I wanted to, because believe me I didn't want to get involved, but I was already involved.

Next to Joe, I knew the most about that park. Because if Joe left, it was me, I was the guy. I had to run the studio when Joe was gone, I had to run the zoo, I had to make sure that checks got paid, I had to make sure everything was taken care of when Joe wasn't there. I was...I was number two.

It was a fight to get Joe off the zoo, yeah. I mean it was ugly. It was to the point where they were actually exchanging words and I didn't even want to talk to him. Jeff said to get him off the park until he got back, and then discuss it. And that's how the \$3000 bullshit all came up, but I think this whole ramrod thing was all in play at that time.

Allen Glover came along with Jeff Lowe and he was Jeff's right hand from Myrtle Beach. He is a little, he is a little different. Thuggy type, convict looking

type, me and Joe never trusted him ever. I mean, he was just shady. If I took a piss Jeff Lowe knew it before I got out of the damn pisser. If Joe went to town, Jeff Lowe knew it before Joe got back from town. Jeff Lowe was in Vegas and left Allen Glover to be his snitch in the park, so we never trusted him, and I think he knew that. He didn't like us, and we didn't like him and that's pretty much how the damn Carolee Baskin bullshit started because Joe wanted him off the park, I wanted him off the park. I mean we couldn't jack shit without Jeff Lowe calling or throwing a hissy fit. So Joe says, you know, we don't get along, you need to leave. Here's three grand, go home until Jeff figures out what he is going to do here with you, and be off. And that's how that all started. So then he just housed up in his trailer and never came out and just stayed there on park. Glover was a weasel man, he was just a fall to guy, Jeff Lowe's puppet. Whatever Jeff Lowe said, Allen Glover did or said, and that's true to this day because first of all who in their right mind is going to take \$3,000 to kill somebody, that's just bullshit. So, that's how that all trumped up that Joe paid Allen Glover to kill Carole or whatever. First of all, Joe would have never just paid somebody to kill Carolee Baskin. He would have never gone that far without somebody kicking him in the ass, poking him in the side, pushing it along, none of that would have ever been said. We have all said it is on videos on YouTube, it's all out there.

We all, we all said it. I mean Carolee sued me in federal court, sued Joe in federal court, sued everybody involved in federal court. What is she going to get from me? Nothing. We have all said it, “we want the bitch dead”, “she just needs to go on with her life”, “somebody needs to off her”, we all said it. And I’ll say it, I said it, it’s out there. But he would have never pursued it without somebody kicking the dog and pushing this along.

No money changed hands but yet he still got a conviction out of it. And now how in the hell is that possible? It was ramrod. Joe got a bad deal. Did Joe do some things wrong? Yes he did. Did Joe deserve 22 years? Hell no! He has been in there long enough now for his crimes that he did that were misdemeanors and should have been tickets. I mean, he never had any charges before, so why is a first-time charge that damn - I mean he got max on that stuff.

Tickets, they were just tickets and fines, that’s all it was. And the only reason he would have got a ticket was because he had to pay the fine and that’s just insane they did that... insane. Joe did not hire Allen Glover to kill Carole. There is no way. Joe is not that stupid; you’re not going to hire a hit man for three grand. I don’t give a shit who you are, there aren’t enough zeros on the back of that three, I promise you, and Joe’s not dumb he knows that. Allen Glover, I don’t think could

kill anybody. He might have a teardrop for being in prison but hell, anybody can tattoo a tear drop. That \$3,000 was purposely given to Allen Glover to get him off the property and get out of our hair. Like I said before, he was a pain in our ass, a thorn in our sight, he wouldn't do anything and he was still drawing a paycheck; he wouldn't even show up to work most of the time and it was solely to get him off the property - get him out of our hair because we didn't want to deal with him. He didn't have a work ethic. If he showed up for work, he did what he wanted to do, when he wanted to do it and how he wanted to do it, if he did it. He didn't really have a job, but his main purpose was to keep an eye on Joe to relay back to Jeff.

As I said Jeff Lowe knew everything before we even did it. I can honestly say the judge had to have it out for Joe. I don't know if he is homophobe or what, but Joe didn't have a record. Joe didn't do a bunch of felonies and convictions. I think Jeff Lowe is a felon, Allen Glover is a felon. There is one other felon that was on the property, but anyways, I can see them getting maximum penalties. Joe hadn't done anything wrong. He had seventeen charges of tickets and fines, and he got time for all those which is just absolutely insane. So this judge definitely threw the book at Joe, and to this day, he just didn't like Joe.

Oklahoma is... they are not really fond of gays you know. I worked with Joe and I've worked with gays, you know I worked with the lesbians; I've worked with all of them. Transgenders, I've worked with all of them. And I don't have a problem with that. I am not gay, I am straight but that's my priority, you know, my prerogative. I remember John Finlay getting arrested one time and going to jail, and they put him in pink handcuffs and paraded him through the jail before they put him in his cell. That right there is Oklahoma. The ones that are bashing Joe just blow my mind because if they got in trouble with the jail before, they called Joe. Joe had to bail them out. If their car got impounded because they went to jail, Joe had to bail their car out. He did that so many times. That's what Joe was, Joe was nice. Joe fed the hungry you know... if you were hungry and you needed a meal, Joe would feed you. He fed everybody for Thanksgiving and Christmas free every year. He cooked turkeys and all kinds of shit.

He did a bunch of last wishes too. We went to OU medical and brought kids that were dying gifts and stuff up there and we passed them out. We called Make a Wish and we did some deals where we took tiger cubs to people that were dying and stuff like that, he did that stuff all the time. If you come in with a disabled child and something was wrong, Joe would pay special attention to him and make him feel wanted and cared for and all that. And he always did that, even in his

magic show he always did that, he would touch on those people's hearts. I mean, he had a good heart. It was always about the animals and Joe made sure of that you know it was always about the people, trying to make them happy and you know he got a little eccentric towards the end, but hell he was driven to it you know? He loved the animals. I mean, now we are being accused of abusing animals and that's just insane.

I think a lot of the people making accusations at us are trying to cover their own shady business. Most of the time, if somebody is pointing a finger then it is because they are in the wrong. You know that's the old saying; "you shouldn't throw rocks at a glass house" and that's what that's all about, most of the time that's the way it was.

I'm pretty sure the ex-GW Zoo members on the recent Animal Planet show got paid for their participation, I mean, I haven't seen it in writing, but I have been told a nice little sum. But you know, I got prosecuted; persecuted I should say, on Facebook because I made the statement out there that the people speaking out were just some wolf guy and a gift shop girl. And I got hammered because she was supposedly not a gift shop girl. Yeah, she was a gift shop girl for three or four months and she worked out in the park for five months or six months and that was

it. You would have thought she ran that place the way they talked to her all the time and carried on like they were talking to somebody with fourteen years of expertise.

They didn't want to talk to me because I could have told them about the wolf guy. And I could have told them about him killing a wolf, and that's why the numbers on the wolf were wrong because the people that had the wolf ran the wolf so damn bad, it killed him. You know they didn't talk about that, why didn't they talk about that? And now I find out that the wolf guy is convicted. Never in my life would I've thought we would have come to this murder for hire and seventeen Lacey act cases on Joe, never. It's really odd for Joe to just say; hey, "here's three grand, go kill Carole" to Allen Glover is just, it just didn't happen. They even planned how to do it and everything, they had it down, they just sat there and discussed that.

So Jeff is as guilty as Joe is if not more. I would say more, but since it all came out, I mean it's out there, Jeff makes the comment... I mean he sits there and coaches Allen Glover on a speech the whole time and they got it all on film. Jury didn't see that I can promise you. It was odd. I mean, it just blows my mind that

nobody wanted to talk to the guy that was right there beside Joe for fourteen years, through it all!

Joe had incompetent representation; he definitely did. And you know I told them when they showed up to interview me. “Y’all have not got enough paperwork”, I said “y’all have a whole lot bigger job than this” and they told me “we have other cases we have to deal with too.” I guess he is just a sheep in a field. The case was stacked from the beginning; they know who signs their checks. I don’t think they put half of the effort they should have put in. But Joe didn’t want to take a plea deal because he was innocent, simple as that. I don’t remember all the questions they asked me, but I know the questions that they did ask me just really didn’t make sense. And that’s why I questioned them.

The one thing that I would like to say to President Trump before he considers the pardon is that the system is corrupt and he of all presidents should understand what being targeted is like. The evidence is there, it speaks for itself, the whole country is talking about it. He was definitely railroaded, you know it. The judicial system shouldn’t have paid federal employees defending somebody against paid federal employees, it can’t work that way. These guys didn’t put an

effort into saving Joe at all, I'm sure they didn't care. Look at the evidence, it's all there, do the right thing, you're the man. It's all in your hands.

When you put an innocent man in jail... and it's not just Joe you see it all time - this guy was in here for fifteen years before he got out because they didn't look at the right evidence, you see it all the time - that's just wrong man. That's fifteen years you won't get back. I mean...

This country needs to be better than that.

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

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Application No. _____

Joseph Maldonado-Passage

Christine Hansen Letter in Support of Pardon

Dear President Donald J. Trump,

As a long-time, faithful supporter of you and your work, I ask that you please pardon my beloved friend Joseph Maldonado-Passage (also known as Joe Exotic) of the ridiculously false allegations made against him.

I met Joseph about twelve years ago while he was hosting a popular online show where he portrayed himself as an outlandish, eccentric, over-the-top showman. As I got to know Joseph on a personal level, I realized that in private he was an incredibly smart, funny, sweet, and caring person. We quickly grew close, he even called me his “big sister.” Through our many conversations we discussed the abuse we had faced in our lives. He helped me when I was going through my divorce and I helped him through his illness, the dissolution of his relationship with John Finlay, and the tragic death of his husband, Travis Maldonado.

Joseph was not only a dear friend to me, but he deeply cared for his community and his animals. The *Tiger King* Netflix series never showed the

Joseph I knew. He would interact with every person and helped anyone he could. He is truly a kind and generous person. Every holiday, Joseph would invite families from the community to celebrate with a free meal. On Easter, he would buy tons of candy and have candy-stuffed eggs for the kids to enjoy. When he met down-and-out, homeless people, Joseph would house and feed them free of charge, giving them jobs at the park. He also started the Animal Miracle Network, where he would visit ill children, fulfilling their dying wish to play with the animals.

I saw for myself that Joseph adored his animals. When no one was visiting the park, he would dote on each animal. The park was well-run and clean, and all the animals were well taken care of and loved. Joseph took pride in his animal park. It was his life's work, which he dedicated to his brother Garold Wayne. Unfortunately, his park was under relentless attack by people who did not agree with cub petting and misunderstood Joseph's love and intentions for his animals. These cruel people were determined to ruin Joseph's business, passion, and life. When Joseph was incarcerated, he had his park stolen and the animals are now neglected and mistreated. His parents, who he lovingly cared for, were separated into different nursing homes. When Joseph's mother died last year of cancer, he was not allowed to visit and say goodbye. Now all he wants is to be able to care for his father who has dementia. He wants to return home to his friends, family, and animals.

I hope my letter has shown you what a good person Joseph is and that he deserves to be pardoned from his alleged crimes and released from prison. There are petitions with hundreds of thousands of signatures because SO many people realize that he is not a danger to anyone but is a person who would do good in this world.

President Trump you have the power to pardon Joseph Maldonado-Passage and bring him home.

Thank you for all you do! Trump 2020!!!!

Christine Hansen

Bartow, Florida

LETTERS OF SUPPORT

UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY

UNITED STATES OF AMERICA

vs.

JOSEPH MALDONADO-PASSAGE

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APPLICATION NO. _____

John Reinke Letter in Support of Pardon

Dear President Trump,

I am writing to help you understand Joseph Maldonado Passage (AKA Joe Exotic). I am a friend and was the manager of his zoo for 12-14 years. I of all people would know Joe better than anyone, as a friend and co worker. Joe is not a killer nor would he have done what he is convicted of, if had not been coerced the way it was.

My name is John Reinke some know me as "Rink", I assure you you Joe is not a danger to the public. He does talk a lot but would never harm anyone. He is all talk no bite. He loved his animals and life. He was driven to say things that were wrong but he would have never carried out the details. It was set up by a business partner.

He and I would really like for you to consider a pardon or at least make your own assessment of the case. Please Sir, consider this pardon to help a man move on with his life, as I know he is ready to make a whole new life after being wrongfully incarcerated for 2 years. Joe Maldonado Passage is a good man. Please consider this pardon.

Thanks,

John Reinke
(940)923-2086

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

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Application No. _____

Joseph Maldonado-Passage

Dillon Passage Statement in Suport of Pardon

Dear President Trump,

In the interest of my husband, Joseph Maldonado Passage, otherwise known as Joe Exotic, I Dillon J. Passage, hereby give this written statement on his behalf.

Joe Exotic is a character presented to the public; a personified version of a man much greater than what has been depicted. Let me tell you about my husband Joseph, the man who saved my life. Before I met Joseph, I was fully in my addiction, headed down a dark road leading nowhere good. Then he came along and pulled me out of my depression with his warmth and kindness. With his patience and help I was finally able to break free of the chains of my addiction. I truly credit him as the reason that I am alive today. Without his love and support I could have never made it as far as I have. Even in prison his main concern has been for me and not himself. He's always worrying about my safety and happiness over his own.

I have not been alone in benefiting from his big heart, Joseph has helped many people who were in need. There were many times that he met someone who was down on their luck and he tried his best to help them. If you were hungry, he fed you. If you needed a job, he gave you one. If you need a place to stay, he provided it. If you needed a friend, you couldn't ask for a better one. These were people on the fringe of society, that felt like outcasts and he welcomed them with open arms. He wanted them to turn their lives around and gave them the opportunity to do so. Joseph couldn't turn anyone away who needed a home, or any animal away animal for that matter.

There were so many big cats on park for that exact reason. So many times he would get a call from someone who had a big cat that was going to get euthanized if he couldn't take it. Joseph could never turn them away, he would find room for them at G.W and in his heart. We bonded over love of animals and I learned so much during my short time at the zoo. We would walk around and he would call out to everyone of his tigers and he knew them all by name. They would get excited to see him and you could tell he had a special relationship with each one of them. He truly loved his animals and every decision he made was to better their lives. Sometimes his options were not great but his motivation to keep these animals safe drove him to work hard every single day.

My husband is not a perfect man, he is flawed, he makes mistakes, because he's human. However, I know the man behind the mask and I hope I showed you a glimpse of what I see. For I see a sweet, big hearted man, with good intentions, who took a few steps down a dark road, and he's just waiting to be pulled out of it. Thank you for your time,

Dillon J. Passage

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

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§ **Application No.** _____

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Joseph Maldonado-Passage

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Kerry Walker Letter in Support of Pardon

Dear President Trump,

My name is Kerri Walker, and I live in Burbank Oklahoma. I am writing to you on behalf of Joseph Maldonado-Passage, known to the public as “Joe Exotic - The Tiger King”.

I have known about Joe for over a decade, as my younger cousin lived and worked at his zoo with the animals, I loved hearing her stories about joe and the crew as well as the animals that joe kept. I have seen countless pictures over the years that my cousin worked with Joseph of her, Joseph, his crew, and the animals. I have never heard one cross word from my cousin about how the animals were kept, cared for or how the property was maintained. Even when PETA showed up to do one of their many “surprise” inspections, the facility still remained open and thriving.

Through the countless stories, I have heard from my cousin over the years, I have never heard a foul word from my cousin who actually lived on his land, and personally knew joe, spoken by her, about joe. For my cousin, that is saying something as she, like myself is very vocal and very opinionated specifically if we do not like someone or someone does something against humanity or animals in general.

What I do know about joe is that he is a very loving man with a rough exterior. He marches to his own polka while everyone is two stepping around their lives, joe

grabs life by the arm and makes it better for anyone he is around. Joseph is a humanitarian and has a heart of gold, he would and has given people the shirt off his back, just to help others in need. Joseph is selfless and honorable. Yes, he is a firecracker, yes he shoots his mouth off when he is angry, and yes he does not always say and do things that are socially acceptable. Joseph, sir, is a lot like the view you have been given in the media since I was a small child. What is put out there, is all for show, and the good is overlooked, twisted, and manipulated for what ever purpose that is trying to be served at that moment.

Just like watching you in the media all of my life and watching people that loved you and respected you turn on you when you became president, sir, that is exactly what happened and is still happening to Joseph. When he was no longer any use to them, or he did not give them their way, hand over fist, blindly, his fake friends and people that he put his heart and soul into, bailed on him when his ship was going down.

There have been blatant lies stated about Joseph in regard to the inhumane treatment of animals as well as a purported murder for hire.

Mr. President, you of all people know what its like to be constantly under attack, with lies and mistruths and half truths and straight out fabricated stories and situations stated about you and twisted for selfish personal gain.

I have watched you come under attack after dehumanizing attack with this presidency and my heart breaks for you. Its relentless and uncalled for, and yet people that feel they have something to gain, continue to feed into the frenzy of the sheep that have nothing better to do than to run you into the ground while overlooking what good you have done.

Point in case. Someone egged you on to have a conversation that was dehumanizing and degrading to women. They sat on a bus, and goaded you and chided you until they got you to say “ when you are rich, women will let you do anything you want to them, they will let you grab them by the pussy if you want, the just let you do it”. 15 years that person sat on that recording, 15 years waiting for the right moment to dehumanize you and humiliate you and accuse you of being something you were not for their personal gain.

15 years later you had to defend yourself from a recording that was made when you were a member of the “billionaire boys club.” Scientifically every 7 years, you regenerate every cell on your body, and the skin you have today is not even the

same skin you had 7 years ago. Someone waited for over 2 complete molecular regenerations of your entire person to use something against you that they took out of proportion, simply trying to gain notoriety and to bring you down.

This is exactly what has happened to Joseph.

Sir, I am the mother to 3 disabled children. My 21-year-old son has brain damage due to a non-accidental blunt trauma when he was 2 inflicted by his biological father. He cognitively is about 16 years old currently.

My 15-year-old biological son has brain damage due to asphyxiation caused by his biological father, who happens to be my biological half-brother, as my son is a product of familial rape and criminal stalking. He is also on the autistic spectrum.

My 8 year old daughter has one of the top 15 genetic disorders in the world called alpha 1 antitrypsin deficiency syndrome and when her genetic disorder comes out of dormancy, she has a life expectancy of approximately 9 years of a very excruciating and painful path for the remainder of her life.

In addition to my biological children mentioned above, I have fostered many children over the years that were labeled the misfit kids or the ones that society has given up on. I have spent decades of my life fighting for children who have lost their voice because they had a label no one wanted to look past.

I tell you this to tell you, I am not some fly by night fan of Joseph Maldonado-Passage, I still have yet to watch the entire "tiger King" documentary and I most likely never will. I have better things to do then to swoon over someone on television I most likely will never meet, but I do want to tell you in addition to my listening to my cousin about Joseph and her experiences, I have a few to share of my own.

My 21-year-old son is disabled, he is also gay. Because of his disabilities he is what society would call odd or weird. Watching the first 2 episodes of the tiger king (the only 2 that I have watched) my son was able to understand, through joe, that its ok to be his complete authentic self with zero apologies and he has learned to be proud of himself. Now that may not mean much to many, but after over a decade of my son idealizing suicide because he could not change the fact that he is gay, he realized that its absolutely ok to be himself. Yes, he could have learned that by watching anyone, however Joseph's flamboyant "no f@#cks given, grab life by the groin and make it your own, no matter what" attitude gave my son a perspective no one else on the planet could have possibly given him. My son lives

his life now with zero apologies about who he is on a core authentic level, and I attribute part of that to Joseph's television influence.

Furthermore, my 15-year-old son went to public school through kindergarten twice and all the way to 5th grade. Because of the no child left behind act, I could not hold him back more than one year, and as is commonly done, he was social pathed through public school. I chose to pull him out of public school so that he could at least learn to read and write at bare minimum. He maintained a kindergarten 4th month level of reading with outstanding verbal comprehension skills. Because of his brain damage, he had zero reason to learn to read or write and could barely write his name. He wanted to write Joseph a letter in prison and he dictated it to me.

My son and I made the agreement that I would only write one letter on his behalf and if he wanted to write to Joseph again, he had to learn to do it himself. We wrote Joseph right before his 15th birthday, (his birthday is April 15th, 2020). Because of my son's cognitive abilities and disabilities my son invited Joseph and his husband to his birthday party here in Burbank Oklahoma when he got out of prison. I informed my son that currently if nothing changes, he will be 45 before Joseph gets out.

My son did not care and invited him anyway. Joseph immediately wrote to my son. He encouraged my son to keep up with his studies, and to be a good human being, he gave my son positive reinforcement for some of the things that my son expressed that were frustrating to him, and Joseph told him that he would write him back any time he wrote to him. He promised that if he ever made it out of prison, he would absolutely show up to our home for a BBQ and celebrate my son's birthday.

When ever my son gets upset with struggling to learn to read or write, he grabs Joseph's letter and struggles to read it himself. We had to laminate it because he carries it with him constantly. Since April of 2020, my son has advanced in his reading alone to 1st grade 7th month, because he desperately wants to write his own letter to Joseph.

Sir, I have a crap ton of things I could be doing right now, instead of writing a letter to you, regarding someone I have never met. However, I need to at least try to give a perspective to you that I do not think you will get elsewhere. Joseph's influence of his own authentic self has made such an impact on my disabled

children, that I believe that needs to be known. Just by being himself, Joseph was able to give 2 children hope, direction, and faith in themselves.

Mr. President, having told you all of that about my children, I want to tell you that I did my research on you after the debacle of “Donald Trump Mocks Disabled reporter” and I want to tell you my opinion on what I found.

Having disabled children, I hold my children to a higher standard than most parents hold their children of this generation. I advocate for them and many others and I am the first person to stand up loudly and protest anyone doing anything against their and other disabilities. However, I believe that being disabled only means that they are “Differently” abled humans. When a person has a disability, and they are capable of doing secular jobs, they chose to be held to the standards of secular society.

That reporter followed you and repeatedly asked inappropriate and dehumanizing questions and as a human being you, in my opinion rightfully, snapped over the inappropriate behavior that he displayed.

I am the first person to say sir, that I do not agree with your choice, however I do see more of the picture and understand. I also do not think that every fiber of your being is this dehumanizing person who does not care about people with disabilities. I know this in my heart because I know and have seen what you have done quietly and without need or want for public exposure. Between paying rent for years for someone that you were not obligated to, sending your plane so that a child could get medical treatment, and countless other things you have done, that I have personally noticed.

I also want to say that while we all agree, you were wrong for your choice, that reporter was just as wrong. If that reporter were my son, or one of my foster children, you better bet that he would hear from me just how wrong he was.

Two wrongs do not make a right, and if you look at the entire picture with you and this reporter sir, there is a completely different story that no one wants to accept or admit.

I took the entire situation about the reporter and the infamous “grab em by the pussy” comments as a mother to disabled children and a woman who has been raped, and I still voted for you and will be voting again for you this November.

Sir, I am respectfully asking you to take those situations that you have publicly lived through in the last 4 years of your presidency, into consideration in regard to Joseph.

YES, Joseph has repeatedly SAID that he wanted to kill Carole Baskin, he has repeatedly pulled some pretty wild stunts on his video blogs in regard to Carole Baskin, and has literally gone on record to say that he hated Carole Baskin and wanted her to die.

However, sir, wanting something and doing it are completely separate entities.

Joseph spent days and weeks destroying thousands of dollars' worth of his own property so that he could send it to Carole Baskin at her demand when she asked the courts for his mattresses, watch, and other property.

Carole Baskin, spent years of her life targeting and slandering, harassing, dehumanizing and torturing Joseph simply because she wanted his cats so she could be the only one to have cats in captivity.

I'm not saying Josephs reactions to Carole Baskin was always appropriate, just like your response of 15 minutes of being egged on was appropriate almost 20 years ago as well as your response to the reporter that was out of line, but sir, I no more believe that you would grab me by the pussy any more than I would believe joseph would follow through with his angry theatrics towards Carole Baskins.

(By the way, Bill Clinton ACTUALLY Grabbed me by the pussy at the Pantages Theatre in LA, WHILE PRESIDENT and he had no permission to do so, just secret service men with guns to protect him)

I am asking you to please consider pardoning joseph for alleged crimes.

I know that 3000 dollars may seem like a large amount of money to a meth addict testifying that he was hired to kill someone, but it's not even logical to believe that someone that destroyed things worth more than that out of spite, and paid more than that on campaign condoms while running for governor, would ask someone to kill another human being for 3000 dollars.

Facts are that 3000dollars was probably severance pay, because joseph was cleaning up his life and turning himself around for the better with his new husband Dillon.

Again, please understand that I am not some freaky fan of Joseph's, I am a human being with a heart, advocating for a man that took the time out of his life to make sure animals and homeless people were cared for.

As I said above, I am the mother of 3 biological children. 2 of them are disabled, and one of them is terminally ill. I am in the process of starting a transitional living program for aged out foster youth to teach them how to be adults without being homeless. I am using my own money, as well as the stimulus payment you sent to me, to purchase my first property. I have also had over 200 youth in and out of my doors that were abused and neglected over the past 2.5 decades of my life. I purchased a 100 year old high school in Oklahoma and my husband quit his 6 figure a year job in the oil fields outside of the Denver Metro Area to start a foster care facility here in Oklahoma to help the demographics of aged out kids, teens with no hope for adoption, the LGBTQ children that no one wants and large groups of siblings.

I grew up in foster care as well as aged out of the system to homelessness, I know how hard this life is. It has been my life's passion to protect children like myself who grew up without a voice. I would lay my life on the line for any of the 450,000 kids currently in care, and the 23,000 kids that age out of the system into homelessness every single year. I would adopt them all if I had the means and the ability to do so, just to keep them safe and protected.

I tell you that to tell you this.

I know enough about joe to tell you without flinching that joe is welcome in my home with any of my kids at any time. I know in my soul that joe would never hurt anyone. I know what has been said and what has been testified to, but I wonder if you realize that Jeff Lowe actually is guilty of quite a few Oklahoma laws that should have put him away for felonies in regards to the way he cheated joe out of his zoo?

That alone is reason for Jeff Lowe to convince others to lie on his behalf just to get everything he could out of joseph. That was not even taken into consideration. No one has seemed to consider cold raw facts.

Mr. President, Carole Baskin participated in what's called: " Sciente et valenti non fit injuria. ". What that means sir, is that the law states that one cannot set one's self up for failure and then sue for damages.

Ms. Baskins targeted Joseph by her own public statements, unbeknownst to Joseph for no other reason, then personal gain, or just pure sport. The years and years of harassment and menace as defined by Oklahoma laws, from Carole Baskin on Joseph by his own public statements, is what prompted Joseph to create the web content that resulted in copyright infringement, of which Ms. Baskin subsequently sued and won judgement against Joseph. This copyright infringement literally would have never have happened if she would have let Joseph live his life in nowhere Oklahoma doing what he loved best, taking care of misfit people, in his own little bubble of a world who did not even know she existed prior to her choice to target him for no reason.

Had she never targeted Joseph; this never would have happened.

Ms. Baskin set herself up for damage, and then sued him as a result of her harassment.

It's my opinion with my limited knowledge of the law, that Ms. Baskin's entire lawsuit should be overturned on the fact that, by her years of harassment, and slander as well as libel and defamation of character, Joseph made a rash choice to create a web content that emulated Carol Baskin's web site to get back at her for her relentless attacks against Joseph and his zoo in Wynnewood Oklahoma.

A rash choice just has you have, yourself done many times in your past that you are being crucified for.

The facts are:

1. Carol Baskins spent millions of dollars to harass and destroy Joseph so she could get the only thing he loved in life away from him, for no other reason than to satisfy her own personal collection of large cats in captivity.
2. Carol stopped at nothing, to destroy Joseph, but yet she spent zero money, and zero time looking for her missing husband, while laughing about how absurd it is that people had the nerve to think she had anything to do with his disappearance even with forged signatures and her getting rid of her husband's belongings. And no one thinks this is not normal behavior?
3. Joseph and his staff, including my cousin, physically went to Carol Baskin's Big Cat Rescue in Florida to walk around and see her facility. When they were removed from the property of Carole Baskins, Joseph hired a helicopter that day and made video surveillance of her property. He was

literally above her property in a rented helicopter and if he wanted to kill her, as he had said repeatedly prior, he had the opportunity to do so, and yet... he made videos instead.

4. Jeff Lowe is guilty of felony conspiracy to cheat and defraud Joseph, and HE had something to gain by getting rid of joe.
5. So, we have 2 people that would gain by riding the world of joe, and no one sees the problem with this?

Let me explain,

Oklahoma has a law called the criminal conspiracy law. That law states that it is illegal for two or more people to conspire to cheat any person out of any property by any means which are in themselves criminal, or by any means which if executed would amount to cheat or to obtaining money or property by false pretenses or to commit any act injurious to the public health or to public morals for the perversion or obstruction of justice or the due administration of the law are guilty of conspiracy.

What jeff did was and is a felony in the state of Oklahoma. As seen below. Theoretically, Carole Baskin is also guilty of this crime.¹

Not only did Jeff Lowe conspire to cheat, this entire debacle is a gross obstruction of justice, used to keep people looking at joseph, instead of looking at them.²

¹ **OKLAHOMA'S CRIMINAL CONSPIRACY LAW (section 21-421)**

Section 12-421 conspiracy – definition punishment:

- A. if two or more persons conspire, either to
 1. Commit any crime or
 2. ()
 3. ()
 4. To cheat and defraud any person of any property by any means which are in themselves criminal, or by any means which if executed, would amount to cheat or to obtaining money or property by false pretenses or
 5. To commit any act injurious to the public health or to public morals or for the perversion or obstruction of justice or the due administration of the law they are guilty of a conspiracy
 - a. B except in cases where a different punishment is prescribed by law the punishment for conspiracy shall be a misdemeanor unless the conspiracy is to commit a felony.
 - b. C. conspiracy to commit a felony shall be a felony and is punishable by payment of a fine not exceeding five thousand dollars (\$5,000.00) or by imprisonment of the state penitentiary for a period not exceeding ten (10) years or by both such fine and imprisonment.

² **OKLAHOMA CONSPIRACY LAW (CASE LAW)**

Oklahoma conspiracy law (case law) referenced: a conspiracy of two or more persons to accomplish by concerted action, some unlawful objective by either lawful or unlawful means (Bauer v. state, 3 Oklahoma criminal 529, 107 p 525 (1910) the gist of a civil conspiracy is damage (Allen v. Ramsey 170 Oklahoma 430, 41 p. 2d 658 (1935) and its existence may be inferred from pertinent circumstances Henderson v state Oklahoma cr., 385 p.2d 930 (1963) see also wright v. cics 648 p.2d51 (1982)

You live this everyday sir, and there is an innocent man sitting in prison for decades, while an alleged killer and a felon is free.

Furthermore Mr. President, the people that have provided false information to the courts and false statements, and documents to the courts are also guilty of felony perjury as seen in the following Oklahoma law that states:

Oklahoma statute title 52-109 titled: “false verification of documents as perjury – punishment.³

In addition to the above sir, I believe the following Oklahoma title 15 contract laws as well as the promissory estoppel laws of the state of Oklahoma apply to the case of Joseph Maldonado-Passage, in regards to the dealings with Jeff Lowe and Joseph’s Zoo here in Oklahoma.⁴

Joseph was under duress because he was sued by Carole Baskin of Big Cat Rescue and he was trying to keep his animals safe and his zoo from being subject to the litigation of that lawsuit.

Jeff Lowe took gross advantage of Joseph as an “undue Influence” with fraudulent promises to Joseph to “save” the zoo, and jeff used josephs vulnerability against him to fraud him and cheat him out of his home and his properties through lies and manipulations.⁵

³ Statute 52-109 states: “any person who shall verify under oath any report, map, drawing or other **statement** or **document** authorized or required by the provisions of this act or by any order, rule or regulation of the commission made under the provisions of this act be filed with the commission or with the secretary of the commission, or with any other officer, and who files or causes the same to be filed with the secretary of the commission or with other officer, which states or contains any material matter which he knows to be false is guilty of the felony of perjury, and upon conviction thereof shall be punished by imprisonment in the state penitentiary for not less than two (2) years, nor more than ten (10) years.”

⁴ R.L. 1910, SS 897 SS 1553 WHEN CONSENT NOT REAL states:

- a. An apparent consent is not real or free when obtained through:
 1. Duress
 2. Menace
 3. Fraud
 4. Undue influence or
 5. Mistake

⁵ R.L. 1910 SS 898 SS 1554 CONSENT DEEMED OBTAINED THROUGH INVALIDATING CAUSES, WHEN:

- b. Consent is deemed to have been obtained through one of the causes mentioned in the last section, only when it would not have been given had such a cause not existed.

Joseph would not have agreed to what he agreed to had Jeff Lowe have not conspired to cheat Joseph out of everything he owned and worked so hard for. Had Carole Baskin not have targeted Joseph for years out of nowhere, with her fraudulent “campaign to keep big cats out of captivity, so she could personally keep them in captivity and make a profit from them herself” Joseph would not have been in the position that he was in in the first place.⁶

If you watch any of the documentary that was published on Netflix called “the tiger king” you see Jeff Lowe controlling Joseph and oppressing him regarding any choice Joe Made on his property or his business. Please note that what was shown was only a small portion of what was reality for Joseph in his dealings with Jeff Lowe.

Carole Baskin harassed Joseph for years and targeted him repeatedly trying to destroy him and his zoo for personal gain. She finally was able to sue him for copyright infringement and tried to take everything from him, including his mattress on his bed and his watch that he was wearing.⁷

Jeff Lowe, as well as Carol Baskin, and a plethora of other “players” in this nightmare for Joseph are well within the confines of this law as being a menace towards Joe and have been for years.

The following Oklahoma laws are listed here for your reference, so you understand why I am asking you to help Joseph.⁸

⁶ OKLAHOMA TITLE 15 DEFINES DURESS AS FOLLOWS IN THE FOLLOWING STATUTE:

1. R.L. 1910 SS 899 SS 1555 DURESS DEFINED STATES:

a. Duress consists in:

- i. The unlawful confinement of the person of the party, or of husband or wife of such party, or of an ancestor, descendant or adopted child of such party, husband, or wife. (does not apply)
- ii. Unlawful detention of the property of any such person or.
- iii. Confinement of such person lawful in form, but fraudulently obtained, or fraudulently made unjustly, harassing, or oppressive.

⁷ R.L. 1910 SS 900 SS 1556 MENACE DEFINED THREATS. Menace consists in a threat:

- c. Of such duress as specified in the first and third subdivisions of the last section.
- d. Of unlawful and violent injury to the person or property of any such person as is specified in the last section; or,
- e. Of injury to the character of any such person.

⁸ R.L. 1910 SS 901 SS 1557: KINDS OF FRAUD

a. Fraud is either actual or constructive

R.L. 1910 SS 902 SS 1558: ACTUAL FRAUD DEFINED.

To synopsis why I put the above statutes in this letter to you sir, I simply state, Jeff Lowe and his friends, criminally conspired to cheat Joseph out of his zoo because of the lawsuit with Carole Baskin, by means of fraud and undue influence. Joseph trusted in Jeff Lowe, and he was taken gross advantage of during a situation that should have never happened had Carole Baskins not targeted Joseph for her own gain. Joseph NEVER INTENDED IN ANYWAY TO LOSE CONTROL OR BE LOCKED OUT OF HIS HOME AND ZOO BY JEFF LOWE, THAT IS NOT SOMETHING HE WOULD EVER AGREE TO, NOR WOULD HE BE OK WITH HAVING ZERO SAY OR ANY RIGHTS TO HIS ZOO.

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- b. Actual fraud, within the meaning of this chapter, consists in any of the following acts, committed by a party to the contract, or with his connivance, with intent to deceive another party thereto, or to induce him to enter into the contract.
 - i. The suggestion, as a fact, of that which is not true, by one who does not believe it to be true.
 - ii. The positive assertion in a manner not warranted by the information of the person making it, of that which is not true, though he believed it to be true.
 - iii. The suppression of that which is true, by one having knowledge or belief of the fact.
 - iv. A promise made without any intention of performing it; or
 - v. Any other act fitted to deceive.

R.L. 1910 SS 902 SS 1559 CONSTRUCTIVE FRAUD DEFINED.

- c. Constructive consists:
 - i. In any breach of duty which, without an actually fraudulent intent, gains an advantage to the person in fault or one claiming under him by misleading another to his prejudice, or to the prejudice of anyone claiming under him, or,
 - ii. In any such act or omission as the law specially declares to be fraudulent without respect to actual fraud.

R.L. 1910 SS 905 SS 1561 UNDUE INFLUENCE DEFINED.

- d. Undue influence consists of:
 - i. In the use, by one in whom a confidence is reposed by another, or who holds a real or apparent authority over him, of such confidence or authority for the purpose of obtaining an unfair advantage over him.
 - ii. In taking an unfair advantage of another's weakness of mind; or
 - iii. In taking a grossly oppressive and unfair advantage of another necessities or distress.

R.L. 1910 SS 907 SS 1563 MISTAKE OF FACT DEFINED.

- e. Mistake of fact is a mistake not caused by the neglect of a legal duty on the part of the person making the mistake and consisting in:
 - i. An unconscious ignorance or forgetfulness of a fact past or present, material to the contract or,
 - ii. Belief in the present existence of a thing material to the contract, which does not exist, or in the past existence of such a thing, which has not existed.

R.L. 1910 SS 908 SS 1564 MISTAKE OF LAW DEFINED.

- f. Mistakes of law constitute a mistake within the meaning of this article only when it arises from:
 - i. A misapprehension of the law by all parties, all supposing that they knew and understood it, and all making substantially the same mistake as to the law or
 - ii. A misapprehension of the law by one party, of which the others are aware at the time of contracting, but which they do not rectify.

R.L. 1910 SS 944 SS 15152: INTENT CONTROLS

- g. A contract must be so interpreted as to give effect to the mutual intention of the parties as it existed at the time of contracting so as far as the same ascertainable and lawful.

Respectfully Mr. President,

There is more evidence to believe that Joseph was set up to cover the crimes of Jeff Lowe and Carole Baskins then there are proving that Joseph purportedly hurt animals, purportedly killed them out of malice, and allegedly spent 3000 dollars to a meth addict who did not like Joseph to begin with, to hire said meth addict to kill the woman he had ample opportunity to kill himself for free.

The facts are sir, Joseph Maldonado-Passage sitting in jail is a gross manipulation of the courts and the state of Oklahoma, as well as now the state of Texas's resources to house and imprison an innocent man for decades.

Respectfully Mr. President, I am asking you to not only look into the crimes of Carole Baskin and Jeff Lowe, but to please pardon Joseph.

I would like to thank you for taking the time out of your busy schedule to read my letter.

I would like to thank you for continuing to do what it takes to keep our country running and strong.

I would like to thank you for standing up to people who are not looking out for the best interest of the American public.

I would like to thank you for remaining strong in the face of adversity when constantly being attacked without warrant from people that you spent years respecting and shaking hands with that you trusted and cared about.

I would like to thank you for doing the right thing, even when its not popular.

I would like to thank you for giving a damn about people like me, and Joseph who have lived a life of hardship, but still work ourselves to the bone to make a better America for people who have less then we do.

I would like to thank you for being MY PRESIDENT, and showing my children that no matter what, you stand up for what is right, even if you are standing alone.

I stand with you sir, just as much as I stand with Joe. I am asking you to please, pardon him of his alleged crimes. He has done nothing wrong, And he certainly does not deserve to spend decades in prison because he was used as a pawn to cover up the actual crimes that were and still are being committed in the state of Oklahoma and Florida by Jeff Lowe and Carole Baskin.

I have committed my life to stand up and be a voice for the voiceless even if its not popular.

And lastly sir, during this time of historical divide during a pandemic, Joseph “The Tiger King” united people of all political parties, socioeconomic classes, race, color, creed, sexual orientation, educational background, celebrity status, and much more.

There was one thing this nation agreed upon for the most part, and that was that Joe Exotic is a wild, outrageous, ostentatious, bazarrly authentic human being that should never have gone to jail for anything that has happened to him.

Sir, he won 18 percent of the massively conservative Oklahoma votes for governor by giving out condoms to women, farmers and children with a slogan that has been repeatedly quoted as: “I refuse to wear a suit. I am gay. I have had two boyfriends most of my life. I have had kinky sex; I have tried drugs though most of the younger years of my life. I’m broke as shit; I have a judgement against me from some bitch down in Florida ... etc.. ” and yet he has won the hearts of many.

There are countless “free Joe Exotic” virtual rooms on Facebook alone with millions of people from all walks of life that agree on one thing, and that is Joe should be pardoned.

I believe after listening to our First Lady of the United States, our graceful and amazing Ms. Melania Trump on the 3rd night of the Republican convention, urging America to unite that this will help unite people that have been unreachable in this campaign.

These are just the thoughts of a woman who cares about a stranger in prison, and a president and his family that have had the proverbial shit end of the stick and needed to present my view on what I see as the truth with respect and raw honesty.

You are my president sir, I pray you will be for another 4 years and I am begging you on behalf of the millions of people world wide that care about joseph, to please find it within yourself to give him a presidential pardon prior to Novembers election.

Respectfully submitted,
Kerri Walker

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**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

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§ **Application No.** _____

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Joseph Maldonado-Passage

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Tim Stark Statement in Support of Pardon

I was never interviewed for or called as a witness in Joe's case by the Government or the Defense. I possess first-hand knowledge about the facts and circumstances that got Joe in trouble and, eventually, convicted.

I was never given the opportunity to provide evidence such as many different texts between me and Jeff Lowe and me and Joe - Joe Exotic - different things that are proving that I didn't have the...Joe did not illegally sell me anything and different stuff and I got the proof of that. When I was out in Oklahoma, me and Jeff Lowe and Lawrence Lowe, we all became pretty good friends and we're sitting there talking one night and they specifically told me, they were laughing about it, telling me how stupid and gullible and ignorant fucking Joe Exotic was and they stated that they came out and blatantly told me that they did set Joe up, they knew all of that and they were setting him up and they used Allan to do it. The thing about it

is, I didn't have it recorded, I didn't have anything; they just gave me that, and Allan also told me that they were bragging about the video where Jeff stormed into the office and confronted Joe and started yelling and cursing at him and all that kind of stuff, they said that they did that to set Joe up, catch him off guard and make him look like a fucking idiot and also to make Jeff look like the good guy. Yep, they specifically told me all that kind of stuff, I have no proof of it other than my words. But credibility matters. Jeff Lowe and Allen Glover's credibility was never challenged in court. In hindsight, everyone agrees, there is plenty to challenge.

You know the thing about it is I do have different texts I had to go through them and I'm busy, and one legged man asking about that trade now, but I've got all kind of texts before I went out there and everything of all the shit that was going down and Jeff was telling me about everything and he told me that I was on three different counts on Joe's nightmare or whatever however you say that or whatever you say that, whatever your system is, but there was twenty two counts against Joe and three out of them were me and he told me that the Feds had shit on me blah b-blah b-blah and I told Jeff Fuck the Feds they don't have nothing on me, because it's all bullshit, well I kind of ignored it and about I guess a probably good, shit, like three weeks or so went by and I was talking to Jeff again and he told me; "hey they've got shit on you, you need to call Matt Brain the US Official Wild Life

Marshal blah b-blah b-blah” he texted me Matt’s number again and so I went on and called Matt and he confronted me about three different counts with my name on it; One of them was for the illegal sale that Joe did with a lion to me a white lion cub and the other two was; an orange tiger, eleven week old orange tiger, that he supposedly sold me and the third one’s something about a health certificate for that orange tiger. And I laughed at Matt Brian and told him he was a fucktard. You know because I said really you’ve got all that proof on me, I said and why is it that I have text between me and Joe specifically stating the other that he gave me that Lion and that he gave me that Tiger. I said I’ve got text so if you want to call me up on the stand I’m going to make you all look like the fucking idiots that you are, you know, and so they immediately from the way I understand once they realized I did have the text and I was right they took those three counts off that’s why there was only nineteen counts brought up in the court.

I was never called in, I never was questioned by nobody, anything. Joe's attorney never reached out to me regarding being a witness. The only person I talked to about it was Joe, and Joe was saying something about wanting me to come out there to defend him as a character witness but that was it! No attorneys, no legal people, nobody contacted me. Not from the federal government either.

I don't even really remember exactly where we were having that conversation to be honest with you, I think we were sitting in Jeff and Lawrence's cabin, when they were telling me that all this shit that they set up, that they set Joe up and that's when they also took me over to show me videos of Joe's sex life, John's sex life and all that kind of shit and they were bragging about it look how stupid this fucker is, "I've got these videos, we found this file we found that, you know it's going to be so easy to, you know he's destroyed, he's going to be taken down blah b-blah b-blah" that was when I was out there, that was before the court, I don't remember exactly the date of Joe's trial, but you know, I was out there in Oklahoma and they were getting prepared for it that's the other thing.

Allan Glover, I moved down to Thacker Ville Oklahoma I guess it was probably somewhere around the end of March and **Allan Glover** was living with me and we went in a bar one night and I don't drink but when we was at the bar Allan drinks a lot! And he got drunk and we were sitting there shooting shit and he was telling me how mad he was and how upset he was because the next day **he had to go in for rehearsal with the Feds. That's the exact word he used to me, he had to go to rehearsal with Feds to know what to say in the court up against Joe.** He was being coached for the stand. And Allan doesn't like being told what to say.

If you go back to the documentary, there are two different cases on that fucking show, when Allan Glover was talking, if you listen to him you got to listen to him and listen to him close, he states one time that he didn't even go to Florida but when he got there, apparently he chickened out. He used that word apparently twice! Had he just, if he would have just went and chickened out he wouldn't have used the word apparently, he was being told what he had to say!

He said, he said, in one case he said he never went to Florida, the next time he was on there, he said he did and then he apparently he chickened out, that he was supposedly just ran off with Joe's money and went and got high and partied with it. You know, it was no intention for him to ever go to Carol Baskin, that's why the very second Allan left Jeff let James Garretson call Carol Baskins, to warn her to make it look like it was all about to kill Carol Baskin. Now Jeff Lowe didn't know about it all, how did he know to talk to Carol Baskin?

Jeff knew everything James calling Carol, Jeff knew one...he's the one who called him and James Garretson, Jeff told James Garretson to call Carol and to tell her to stay off of the bike trail and how would have Jeff known to call, have James called Carol, if he didn't know about the murder for hire? I forget exactly told me, I forgot who exactly who told me but James Garretson will verify that that Jeff had him call Carol Baskins and there was no answer and the next thing you know the Feds were calling James Garretson and saying what the fuck you calling Carol for?

I'm a smart motherfucker, I've got connections everywhere its just I'm wrapped up in like five fucking lawsuits and it's hard for me to keep track of what's what and who's who and where I've got all this information from and so...

Anyways, that's when I started I guess having a little bit of disrespect for Jeff you know because before I went to Oklahoma Jeff was filling me full of all this shit. Joe was the one who told me Jeff and Lauren were good people blah b-blah b-blah and then when I started hearing all this shit that Jeff was telling me that Joe did I started to believe it and everything, so you know when I got out there and he was telling me all this shit you know then he told me, I mean he just told me that they set him up I lost respect for him then, I was like; you mean you are telling me you set him up you know I just sort of sit there in shock I didn't really say a whole lot I was just taking the information you know I mean it just amazed me that he's came straight up and admitted it, him and Lauren both did it wasn't just him you know they were sitting there and laughing about it and saying how fucking stupid and gullible Joe was that he's got to be the dumbest and easiest person on the planet to setup and everything else, they were laughing about it. This was after Joe had done got arrested.

So it was after Joe had already, I don't remember if it was before trial, I think it was after trial is when they admitted it to me because they were laughing about it, it might have... you know as a matter of fact now that I think about it, I actually think it was the day Joe got sentenced! And we were sitting there and they were just laughing about it and having a big to do about it and party this or that and that's when we were sitting there and I was laughing with them because I thought it was all true and then all of a sudden he comes out and tells me that they fucking set him up.

I think that flaming faggot's served enough time he needs to be out! He didn't do enough wrong and even the violation of endangered species that, I can help you'll out on that too simply because I know about endangered species then you all would ever learn because I'm into fucking that!

So when it comes with Joe shooting those tigers it's not against the endangered species act. Mainly because they are property, number one they were Joe's property, number two no tiger in captivity should be on the endangered species act they were fraudulently put there by Peter and if you look at the final ruling, if you look at the final ruling of when tigers were put on the endangered species act, they were put on the endangered species act in 1971 or 1972, 1973 and in 1998 the Government removed them from the endangered species act, tigers in captivity were taken off, tigers in general were still on the endangered species act

but, tigers in captivity in United States were taken off that's when they gave them a name and they called them Inter-Sub Specific crossed or generic tigers.

By the time they did that they stated that saying there was too much cross breeding, in breeding and all that kind of shit going on so they lost their conservation value, so they took them off, then in 2015 PETA demanded that they be put back on the endangered species list, well the Government they went through the process and the process was fraudulent simply because of the way the system works now a days, you have access to social media now, you've got back in 1998 when you voted on it, it was phone calls or letters, now it was fucking phone calls, emails, text messages, Instagram you got all this other shit , so the system hasn't been I guess brought to newer standards.

But anyways, when they did if you read the final ruling do not stop reading it! Because both of attorneys did and they said, oh all of those tigers were covered under this act and I told them flip over to the next pages dumb-ass because when they did it specifically stats on there that inter-subspecific crossed inherent tigers were being placed back on the endangered species list but only for one reason and that was to govern interstate-commerce. All the other language was to remain the same which means you can still do whatever you fucking wanted to do with those cats in your possession, if they were only controlling the sales and shit across state lines. It was not to govern what you could or could not do with your fucking

animals, the language of 1998 was still was to remain the same. So that's one way of getting by whether you want to shoot them or do whatever you want to do with them!

You would've thought Joe's attorneys would've contacted me, I can understand the plain of serve the whoever I can understand them not wanting...**I can understand the government not wanting to contact me because I was going to make them look like the fucking idiots that they are** you know because I would've brought out all this shit whether it was the endangered species act that it is not the... Joe's had every right to do what he did I would have brought out the fact that you know they didn't have anything on my account even though they have them on there I proved that they were idiots which probably would prove that apparently half of these other nineteen accounts were made up bullshit, I probably could've sit there and went through each one of them made them look like fucking idiots.

I believe the trial would've gone differently if they had talked to me, I think he could've got out of pretty much everything, because they had nothing, when it comes to the murder of hire even the federal prosecutor on the tiger king stated they had nothing! So they had absolutely nothing on the murder for hire, they had no proof of anything and you can tell that bitch was lying simply because on her final statement, her final statement she was reading, she wasn't just making a

statement she was reading what she was being told to say, if you watch that Tiger king back, I catch on to dumb shit. So like I said...

Like I said, if you go watch the documentary, Allan Glover states apparently he chickened out twice and that federal prosecutor that bitch, you watch her through the whole thing and if you know anything about reading people when they are lying, you can see everything she stated, she specifically sits there and states; when it comes to the murder for hire we had absolutely no proof, they didn't had proof of him renting cars or find other phones or any of the shit that was being said, they had nothing! So that's when they started making up all these animal charges, and trying to get him convicted at that.

They were just trying to make, they were more or less in simple term they are doing what they are doing to me they were trying to Alcapone and you know that's what they did. All of these animal charges are in our reality; nobody's fucking business! He had the legal right to do every bit of, do I agree with it? Fifty Fifty! But it shouldn't be illegal, number one he owned them, no animal in captivity should be on the endangered species list, no animal! How can my tigers being endangered? They are endangered from our government destroying them but it has nothing to do with what the endangered species act was actually created for, has nothing to do with it. And let me put it this way, the same people in the

government want to sit there and say something bad about me or Joe violated the endangered species act, you are aware they are doing it every day.

If you look at all the government agencies they are wanting these animals sent to these global federation of animal sanctuary where they spare neuters! So how's that not a violation of endangered species act. They spare neuter tigers it's a requirement to become a member of the global federation of animal sanctuary that you spare a neuter or your cats so if you're, that's eliminating the species.

The murder for hire if you look at... like I said the federal prosecutor herself stated that when it comes to the murder for hire they had nothing! Joe didn't pay and even Jeff Lowe states on it, had Joe handed that undercover federal agent as much as a fucking nickel then yeah they could've nailed me for murder for hire but Joe didn't do it and they didn't had any proof on anything else, the federal prosecutor stated; they had nothing.

Allan Glover hated Joe, Allan Glover specifically stated numerous times I don't work for that motherfucker, I work for Jeff, Jeff stated that so just exactly how did Joe have that authority over Allan Glover who was Jeff Lowe's employee not his, to say hey; here is three thousand dollars you're going to take off work for the next week, two weeks, month how long it takes and go murder Carol Baskin for me. How did Joe have that authority? Jeff is the only one that had authority over Allan Glover, you pull Allan Glover into the stand and if you fucking crush

him and destroy him, you will get everything, Allan Glover knows the truth about all of it, everything of it! He is the key to this entire case. The last time I talked to him was probably about three weeks ago.

He hasn't said much about the trial, not really, I mean he stated after Joe said good motherfucker got what he deserved, hate that motherfucker, all that kind of shit. But I mean as far as admission of any guilt, no! But I can promise you, if you take him in and if you pressure that son of a bitch, throw about 30 years at him, he'll confess.

I got a lawsuit against the little bastard (Jeff Lowe). He's stealing some of my animals now. He still, he got about a quarter million dollar worth of my animals out there and this stupid-ass, you know how fucked up our court systems are, there was a glitch in the court system, a replevin.

The last time it was used it was 1812, some shit like that, I mean it is fucking ridiculous, I'm just exaggerating there... But I mean, for the motion of replevin, they demanded or they required that I put down a two hundred thousand bond to get my own animals back! Even though I had my acquisition form all the proof that they were mine, Jeff Lowe admitted in sheriff's department, he's admitted on social media and everything else that they are mine, for some reason I was going to have to put up a two hundred thousand dollar bond for him and when we tried to pay bond but I was willing to do it but no insurance company or whatever would

give me the bond reason being on a motion for replevin, usually it's for livestock animals, where you have daily market value for it, exotic animals you know so they were all like we don't know what these animals are worth so they declined it.

So, now we're just waiting I've got other people back there and my attorney in Oklahoma, you know, getting this shit figured and situated and I'm bringing down a lot of heat on Jeff, you know we're going to close down ThackerVille. You know so he's not going to be able to move the animals there you know and everything and we got fucking sheriff and the game warden went in today and everything else out there looking for shit.

The reason I left was I was catching Jeff and Lauren in way too many lies, I was forking out one hundred percent of the bill, doing 100% of the work and everything else and then when I kept catching him lies, lies, lies that's when I said I'm fuck it I'm heading back to Indiana I didn't have nothing to do with this shit. It cost me a fortune to get all my materials, equipment and everything else out there.

I worked for seven fucking months you know and then finally pays me I was like fuck it and Jeff Lowe you know he is a snake he is a con artist that's all he is and I can show you lie after lie after lie even on my text messages from him. I should have bailed out the first I was pulled in but I was desperate just like Joe you know I understand Joe why he did what he did all the stupid shit he was being lead out of desperation.

When you are lead out in desperation you can bet you're ass nine out of ten of your thoughts are fucked up so I was doing the same damn thing because I've got all these law suits going on and I was looking for help more or less, same way Joe was running for governor, president he was looking for help is what he was doing trying to help him get out all of shit he was in because all these false accusations and shit so I understand that but me and Jeff had to fall out for over his bullshit and we were still friends I left there on Aug 18th and we were supposedly still friends I've got a text message from him on a Aug 19th stating "hey hope your trip went well, I hope everything's fine, you know your health is the most important thing blah b-blah b-blah" you know then he joked around and said other than to be an ugly you're a damn good guy.

Two days later is when Jeff went on the attack on me same way he did Joe because why? Because the lady that bought the Thacker Ville property down there, Jeff told me, he text me and told me the day I was getting relaying he told me that they didn't knew what they were going to do they might just stay up there when it would run that a part and let the Cheryl the lady that owned down there just do whatever the fuck she has to do with the property. I didn't think that was right to Cheryl, so I went over to tell Cheryl, she was there at the property and I went over to tell her and she asked a few questioned about different things and I told her some personal shit about Jeff about him being upset about hookers and all that kind

of shit, two days after I left Oklahoma is when Cheryl confronted Jeff and told him what I said. Jeff went ballistic on me, you know and he's like what are you doing going over to Cheryl telling lies and I told him and I went over and talked to Cheryl but what lies are you talking about

There weren't no lies I was just telling her, giving her heads up, he was wanting to have a strip club down there and everything else so... All he did was all he did was run his fucking mouth, lie after lie after lie so all he had to do to Jeff that it's a big game, it's a big game of con artist, you know he don't really have to do the work the little pussy is too scared to do any of the work himself so he just goes at it that's why, why do you think they film and record every fucking thing of every day, that's why! That way they can edit it, they can do this, they can do that and they can show like a fed this or that, get it? And any time you edit something like I tell people let me edit mother Teresa's life. If I can go back and look at every photo and every picture of most well-known saint of the 20th century I can make her look like a fucking Devil worshipper in a matter of no time. So that's why they fucking record. Who else records and films everything they do?

Jeff and Lauren are a team, she is just as guilty if not more guilty then he is, I think she's the one with the balls in the family. They were doing it together, that was their objective from day one evidently, you know when they got there and they got down there, you know they left and went to Vegas. The main reason they left

and went to Vegas was so they would have an hour to buy anything and everything, whether it was burning Jeff Johnson's house down or you know burning the fucking studio down whatever; you know Jeff had an hour to buy.

Hell I really don't remember all the texts I have between us, I know there is bunch of shit on there where he was telling me crap about Joe and what Joe was doing this or that and like I said how would he know if he wouldn't be in communication, the Feds are the problem Matt Brian is the main problem, he set Joe up too, you know there is no way in hell Matt Brian wasn't involved in this, there's no way.

I mean when you look at it they couldn't get him for murder for hire... so that's when they started coming in and making up all these charges and you know trumping more and more and more on it and everything when Matt Brian knew that it wasn't right that it wasn't real. They were so hell bent on taking down Joe Exotic they didn't gave a fuck how, they left a lot of loop holes there they left a lot of uncovered shit so they didn't contact me.

Even when they were charging me, Matt Brian never called me. They were putting my name on there, the only reason I contacted them because Jeff told me I needed to. They didn't contact me I contacted them to put them in their play. I contacted Matt Brian, Jeff told me I needed to talk to Matt Brian that they had evidence on me so finally after Jeff told me twice I called him. They never called

me. I called them. So you would think they would at least called me and questioned what evidence they had. But no, I had to call them. Joe has no idea about that conversation.

I hope the President receives this information and Pardons Joe. He does not deserve this after being betrayed by those he trusted the most.

Cordially,

Tim Stark

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:	§	
	§	
	§	
vs.	§	Application No. _____
	§	
	§	
Joseph Maldonado-Passage	§	

Tina Ayres Letter in Support of Pardon

Dear Mr. President,

I realize that this is a very trying time for all of the nations and there are far more pressing matters at hand, but I would sincerely like to ask you to consider a pardon for Joseph Allen Maldonado-Passage (a.k.a. Joe Exotic, The Tiger King). During the pandemic, the entire nation was introduced to the story via the Netflix series uniting supporters of all political affiliation (which as you well know is no small feat) to rally for a man who was, as so often is the case, wrongly accused.

Joseph much like yourself was betrayed initially by his very own family when his niece called him on his mother's cellphone in order to give him up to the FBI. I cannot imagine how horrendously heartbreaking it must be to realize that one's own family has so little disregard for someone they are supposed to love. It would have been all the more painful having already been led into a set up by the very

people one considered their friends. Which as I am sure you can agree, that upon studying the facts, was simply a plan to pad the pockets of people who should have never been trusted with his best interests while they planned and plotted to gain control of his zoo, even worse that they gained possession of the animals he had loved and devoted his entire life to.

That alone must have been painful to the very soul of a person who loved and cared for his animals in such a manner, not to mention painful for the animals he had cared for as well, as they were placed into the hands of strangers who had betrayed their owner in such underhanded fashion. I am not sure anyone has stopped to consider the impact such a separation must have had on the animals themselves. The zoo was created in the memory of a beloved brother and it was ran in an attempt to offer comfort to the masses while providing various species the chance to survive and thrive in a safe environment. As someone who has devoted their life to the care of animals Joseph has long tried to improve the lives of others, human and animal alike. I think you can also agree that is an admirable quality to possess when all too often people have little concern at all for the good of others. Having the very thing taken from you that was created to honor those you loved who are no more is a truly terrible thing...it is even more so when you realize that Joseph also lost his mother while incarcerated (as far too many who are wrongly accused do) and that after a rocky relationship with his father, both of whom

worked tirelessly alongside Joseph to honor the memory of their son in such a way, he is also having to face the idea that he may never be able to take care of his father in his later days when he is needed, as he would so genuinely like.

As a woman I cannot imagine how his mother must have felt knowing her son was in prison when all of the facts of the case were not even presented in trial. It seems that there is evidence that was never shown that suggests individuals involved in the entire ordeal were and are, in possession of very important facts that would have proved the charges unfounded and unjust. It seems a dire misuse of justice to send any man to prison without having all the facts. An occurrence that is all too common in today's court system.

Even after being betrayed by those he thought to be loyal friends and loving family, he is still determined to try to help others upon his release and is an adamant supporter of prison reform. I do firmly believe that anyone, no matter their background or past, should they have the desire to help bring about change that is helpful as well as needed should have the chance to give it their best try. All too often prisoners are denied that chance. I realize that we all, at some point in our lives, make bad decisions in regards to those we trust and let close, but I do not think anyone should be denied their freedom for having bad judgement in that regard, nor do I think they should be subjected to the atrocities of prison without a fair trial.

INDICTMENT COUNTS ADDENDUM

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

§
§
§
§
§
§
§

Addendum No. ____

Joseph Maldonado-Passage

Indictment Counts Addendum to the Petition for Pardon

Addendum To Petition, Question No. 2

Offenses for which pardon is sought:

Counts 1–2: Use of interstate commerce facilities in the commission of a murder for hire, aiding and abetting. (18 U.S.C. § 1958(a) and 18 U.S.C. § 2)

Counts 3–7: Violation of the Endangered Species Act, aiding and abetting. (16 U.S.C. § 1538(a)(1)(B), 16 U.S.C. § 1540(b)(1), and 18 U.S.C. § 2)

Counts 8–11: Violation of the Endangered Species Act, aiding and abetting. (16 U.S.C. § 1538(a)(1)(F), 16 U.S.C. § 1540(b)(1))

Counts 12, 15–21: Violation of the Lacey Act: false labeling of wildlife. (16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A)(ii), and 18 U.S.C. § 2)

Addendum To Petition, Question No. 6

Counts 1–2: Murder-for-hire.

Mr. Maldonado-Passage was accused of hiring Alan Glover to murder Carole Baskin. However, at no time did Joe take any such action. He never asked Glover to travel to Florida for the purpose of killing Ms. Baskin. Joe paid Glover \$3000 at the request of Lowe so that Glover could return to South Carolina to handle some legal matters; the money was paid out of the night deposits at the request of Jeff and was not paid in connection with an alleged plot to kill Ms. Baskin. Joe did not provide Glover with a separate cell phone and he did not take screen shots of Ms. Baskin. Rather, Glover brought a cell phone to Joe and informed him that Jeff Lowe requested the phone be mailed to him in Las Vegas. Joe gave the phone to a Zoo

employee to mail.

In December 2017, James Garretson introduced Mr. Maldonado-Passage to an undercover agent posing as a prospective hitman. Through a series of phone calls from December 2017 through March 2018, Garretson attempted to pressure Joe into hiring the undercover agent to murder Carole Baskin. The conversations with Mr. Garretson with respect to Ms. Baskin were initiated James Garretson at the behest of the Government. Joe never hired the undercover agent, paid him any money, and he never purchased a pistol or burner phones as suggested by the agent.

Counts 3–7: Endangered Species Act.

The Superseding Indictment charged that Mr. Maldonado-Passage “knowingly and unlawfully took” five tigers by “shooting and killing them” because he “needed empty cages to house the big cats.” (Doc. 24, ¶¶ 34–36.) Joseph did not kill the tigers because he needed room for additional animals, he euthanized the animals in October 2017 because they were ill. After walking on declawed paws for years, the rescue animals were crippled. Joe followed Oklahoma law and the rules of the USDA-APHIS Animal Welfare Act. By misconstruing the use of the word “take,” they have incorrectly used the statute to apply to animals born and bred in Joe’s zoo.

Counts 8–11: Endangered Species Act.

The Superseding Indictment charged Joe with the unlawful sale in interstate commerce of five tiger cubs in violation of the ESA. (Doc. 24, ¶¶ 37–40.) The sales in question took place as follows:

October 30, 2017: offered for sale two tiger cubs in interstate commerce. (Count 8)
November 16, 2016: sale of one tiger cub to a zoo in Illinois. (Count 9)
February 3, 2018: sale of one tiger cub to recipient in Indiana. (Count 10)
March 6, 2018: sale of tiger cub to a zoo in Illinois. (Count 11)

The cited transactions did not involve any sales by Mr. Maldonado-Passage. Specifically:

Count 8: Joe never had any intention to sell cubs to Darlene Cervantes and his recommended sale price was made to deter Ms. Cervantes as Joe believed the amount was unattainable and would force Ms. Cervantes to discontinue her efforts.

Counts 9 and 11: The transfers at issue were zoo-to-zoo between Joe and the Brown Zoo in Illinois. Mr. Maldonado-Passage had a Class C Exhibitor's License from the U.S. Department of Agriculture permitting him to exhibit, breed, sell, and transfer. There was no sale between Joe and the Zoo, there was only a transfer of inventory. Any monies that resulted from a sale were received by Jeff Lowe.

Count 10: The transfer at issue took place between Timothy Stark and Mr. Maldonado-Passage. No sale took place. Rather, Joe transferred an 11-week tiger to Mr. Stark and donated the younger tiger for free.

Counts 12, 15–21: Violation of the Lacey Act, false labeling of wildlife.
Joe was accused of falsely labeling wildlife in violation of the Lacey Act. (Doc. 24, ¶¶ 41–44.) The Government alleges Joe falsified delivery forms and Certificates of Veterinary Inspection (CVI) by representing the wildlife was being donated or transported for exhibition when he allegedly knew the animals were sold in interstate commerce. Counts 13 and 14 were dismissed.

After 2016 and the changes to the ESA, Joe did not sell tigers. Any alleged sale was between Mr. Lowe and the participating entity and Lowe received the proceeds.

Addendum To Petition, Question No. 14(c)

(1) *Big Cat Rescue Corp. v. Big Cat Rescue Entertainment Group, Inc., et al.*, No. 8:11-CV-00209-MSS-MAP (M.D. Fla.). Trademark infringement. Big Cat Rescue Entertainment Group ordered to pay \$953,000 damages and granting permanent injunction.

(2) *Big Cat Rescue Corp. v. Big Cat Rescue Entertainment Group, Inc., et al.*, No. 8:11-CV-02014-JDW-TBM (M.D. Fla.). Copyright infringement. Judgment for Big Cat Rescue Corp. awarding \$50,000 damages and issuing permanent injunction.

(3) *Big Cat Rescue Corp. v. Big Cat Rescue Entertainment Group, Inc., et al.*, No. 8:12-CV-02381-JSM-MAP (M.D. Fla.) Copyright infringement. Judgment for Big Cat Rescue Corp. awarding \$25,000 damages and issuing permanent injunction.

(4) *Big Cat Rescue Corp. v. G.W. Exotic Animal Memorial Foundation, et al.*, No. 5:14-CV-00377 (W.D. Okla.) Civil judgment, including monetary damages and permanent injunction against Garold Wayne Interactive Zoological Foundation.

(5) *Big Cat Rescue Corp. v. Schreibvogel, Greater Wynnewood Development Grp., LLC*, No. 5:16-cv-00155-SLP (W.D. Okla.). Illegal asset transfer. Settlement Agreement entered September 23, 2018, transferring ownership of Zoo and other property to Big Cat Rescue Corp.

Addendum To Petition, Question No. 20

I am seeking a pardon because I am innocent of the alleged crimes. In addition to the detailed facts as discussed in Addendum 1, please consider the following.¹

The murder-for-hire convictions are based on the schemes and lies of persons, mainly felons, who sought my demise for their own personal gain. At no time did I hire Alan Glover or the undercover agent to kill Carole Baskin. Money never exchanged hands for purposes of hiring a person to murder Ms. Baskin and I never purchased or provided cell phones or weapons to further the alleged plot. After months of failed attempts by James Garretson and the undercover agent to encourage me and entrap me, the Government lacked any evidence to support their claim that I hired someone to murder Carole Baskin.

Conveniently, in May 2018 after the Government abandoned their efforts and after conversations between Garretson (a Government informant) and Jeff Lowe, Lowe emerged claiming I paid Alan Glover \$3000 in November 2017 to travel to Florida to murder Ms. Baskin. That allegation is an outright fiction created by a man willing to do anything to drive me out of the rescue zoo I successfully ran for almost two decades in my brother's honor. I did not hire anyone to murder Carole Baskin and any allegations to the contrary are pure fiction.

I was also accused of various wildlife violations related to the euthanizing of five of my tigers as well as alleged sales in violation of the Endangered Species Act and Lacey Act. I admit that I euthanized five of my tigers in October 2017. These tigers were generic tigers that I rescued years earlier. After over a decade walking on declawed paws, the tigers became crippled and were in pain. Accordingly, following Oklahoma law and the USDA-APHIS Animal Welfare Act, I euthanized the tigers. The Government is misconstruing the word "take" and applying it to protect species, including these generic tigers, in private zoos and homes. These

¹Factual Basis in Support of Pardon Application

animals were born and bred in my zoo and their deaths were human and lawful under these circumstances

Finally, I was accused of illegally selling animals or falsifying various forms. I did not illegally sell animals and any transfers I made were donations. I made no profits off any alleged sales and any sales that took place occurred between Jeff Lowe and the participating entity.

I respectfully request a pardon for the alleged offenses.

MISC. TRIAL DOCS

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-18-227-SLP
)	
JOSEPH MALDONADO-PASSAGE,)	
)	
Defendant.)	

COURT'S INSTRUCTIONS TO THE JURY

INSTRUCTION NO. 1.

INTRODUCTION TO FINAL INSTRUCTIONS

Members of the jury:

In any jury trial there are, in effect, two judges. I am one of the judges, you are the other. I am the judge of the law. You, as jurors, are the judges of the facts. I presided over the trial and decided what evidence was proper for your consideration. It is also my duty at the end of the trial to explain to you the rules of law that you must follow and apply in arriving at your verdict.

In explaining the rules of law that you must follow, first, I will give you some general instructions which apply in every criminal case—for example, instructions about burden of proof and determining the believability of witnesses. Then I will give you specific rules of law that apply to this particular case. Finally, I will explain the procedures that you should follow in your deliberations, and the possible verdicts you may return. These instructions will be given to you for use in the jury room, so you need not take notes.

INSTRUCTION NO. 2.

DUTY TO FOLLOW INSTRUCTIONS

You, as jurors, are the judges of the facts. But in determining what actually happened—that is, in reaching your decision as to the facts—it is your sworn duty to follow all of the rules of law as I explain them to you.

You have no right to disregard or give special attention to any one instruction, or to question the wisdom or correctness of any rule I may state to you. You must not substitute or follow your own notion or opinion as to what the law is or ought to be.

It is your duty to apply the law as I explain it to you, regardless of the consequences. However, you should not read into these instructions, or anything else I may have said or done, any suggestion as to what your verdict should be. That is entirely up to you.

It is also your duty to base your verdict solely upon the evidence, without prejudice or sympathy. That was the promise you made and the oath you took.

INSTRUCTION NO. 3.

SUPERSEDING INDICTMENT

The Superseding Indictment by which the defendant is charged reads as follows:

At all times relevant to this Superseding Indictment:

Introduction

1. Defendant **JOSEPH MALDONADO-PASSAGE** was a resident of the Western District of Oklahoma. He owned and/or operated an exotic animal park in Wynnewood, Oklahoma.

2. C.B. was a resident of the state of Florida.

3. **MALDONADO-PASSAGE** and C.B. had an ongoing dispute regarding the proper care, exhibition, and breeding practices for big cats, such as tigers and lions. Until 2011, the dispute was carried on primarily through traditional and social media.

4. In or about January 2011, C.B. and her related business entities filed a civil lawsuit against **MALDONADO-PASSAGE** and his related business entities.

5. In or about February 2013, the civil litigation resulted in the court entering a money judgment in excess of \$1 million against **MALDONADO-PASSAGE**. Since that time, and continuing until the present, C.B. and her related business entities have been attempting to collect on the money judgment against **MALDONADO-PASSAGE** and his related business entities and their successor entities.

6. Beginning at least by January 2012, **MALDONADO-PASSAGE** posted content online, including on Facebook and YouTube websites, containing threats of violence against C.B.

Laws Pertaining to Wildlife

7. The Endangered Species Act (“ESA”) provided a legal framework for the protection of endangered and threatened wildlife found within the United States. The Secretary of the Interior determined which species were endangered or threatened under the ESA. The Secretary of the Interior delegated the authority to administer endangered and threatened species permit matters to the Director of the U.S. Fish and Wildlife Service. The Service’s Division of Management Authority administered the permit program for the import or export of listed species, the sale or offer for sale in interstate and foreign commerce for non-native listed species, and the “taking” of non-native listed wildlife within the United States.

8. All species and subspecies of tigers, *Panthera tigris*, were listed as endangered under the ESA. 50 C.F.R. § 17.11.

9. All species of lemurs, *Lemuridae*, were listed as endangered under the ESA. 50 C.F.R. § 17.11.

10. Effective January 22, 2016, one subspecies of lion, *Panthera leo leo*, was listed as endangered under the ESA. 50 C.F.R. § 17.11. Another subspecies of lion, *Panthera leo melanochaita*, was listed as threatened under the ESA. 50 C.F.R. § 17.11. The prohibitions applicable to endangered species were also applicable to *Panthera leo melanochaita*. 50 C.F.R. §§ 17.40(r), 17.31(a), and 17.21.

11. The ESA makes it illegal to “take” any endangered species of wildlife within the United States. 16 U.S.C. § 1538(a)(1)(B). “Take” is defined as “harass, harm, pursue,

hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” 16 U.S.C. § 1532(19).

12. The ESA makes it illegal to “sell or offer for sale in interstate or foreign commerce” any endangered species of wildlife. 16 U.S.C. § 1538(a)(1)(F).

13. The ESA makes it illegal for “any person subject to the jurisdiction of the United States to attempt to commit, solicit another to commit, or cause to be committed, any offense” under the ESA. 16 U.S.C. § 1538(g).

14. A person could become authorized to conduct activities otherwise prohibited under the ESA, such as taking and sales in interstate commerce, only if that person either obtained a specific permit from the U.S. Fish and Wildlife Service or became registered under the Service’s Captive-Bred Wildlife (CBW) regulations. Issuance of an ESA permit and CBW registration require the applicant to demonstrate that his/her activities will enhance the propagation or survival of the species. *See* 50 C.F.R. § 17.21.

15. Effective May 5, 2016, the CBW regulations applied to all tigers, including inter-subspecific crossed or “generic” tigers.

16. The Lacey Act makes it illegal for “any person to make or submit any false record, account, or label for, or any false identification of, any fish, wildlife, or plant which has been, or is intended to be . . . transported in interstate or foreign commerce.” 16 U.S.C. § 3372(d)(2).

17. **MALDONADO-PASSAGE** did not obtain any ESA permits from the U.S. Fish and Wildlife Service and was not registered under the CBW regulations.

Count 1

(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

18. The Federal Grand Jury incorporates paragraphs 1-6 by reference.

19. At least by early November 2017, **MALDONADO-PASSAGE** inquired of Individual 1 whether Individual 1 would travel to Florida to murder C.B. in exchange for a sum of money. Individual 1 told **MALDONADO-PASSAGE** that he would travel to Florida to murder C.B. in exchange for a sum of money.

20. On or about November 6, 2017, **MALDONADO-PASSAGE** caused Individual 1 to travel from the Western District of Oklahoma to Dallas, Texas, to obtain a fake identification card for use in a proposed plot for Individual 1 to travel to Florida to murder C.B.

21. On or about November 25, 2017, **MALDONADO-PASSAGE** used the U.S. Postal Service to mail Individual 1's cell phone from the Western District of Oklahoma to Nevada to conceal Individual 1's involvement in a proposed plot to murder C.B. in Florida.

22. On or about November 25, 2017, in the Western District of Oklahoma, **MALDONADO-PASSAGE** gave Individual 1 approximately \$3,000 in cash in exchange for Individual 1's agreement to travel to Florida to murder C.B. **MALDONADO-PASSAGE** had obtained the cash the previous day from the sale of a big cat. **MALDONADO-PASSAGE** promised to pay Individual 1 thousands of dollars more after Individual 1 murdered C.B.

23. **MALDONADO-PASSAGE** agreed with Individual 1 that Individual 1 would travel from the Western District of Oklahoma to South Carolina, and then to Florida, to murder C.B.

24. On or about November 26, 2017, Individual 1 traveled from the Western District of Oklahoma to South Carolina.

25. No physical harm came to C.B. as a result of **MALDONADO-PASSAGE's** proposed plot for her murder.

26. In or about November 2017, in the Western District of Oklahoma and elsewhere,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a “Joe Exotic,” -----

caused another person to travel in interstate commerce, used and caused another person to use the mail, and used and caused another person to use any facility of interstate commerce, with intent that the murder of C.B. be committed in violation of the laws of the state of Oklahoma and the state of Florida as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value.

All in violation of Title 18, United States Code, Section 1958(a), and Title 18, United States Code, Section 2.

Count 2
(Use of Interstate Commerce Facilities in the Commission of Murder-for-Hire)

27. The Federal Grand Jury incorporates paragraphs 1-6 by reference.

28. Beginning in approximately July 2016, and continuing through approximately March 2018, **MALDONADO-PASSAGE** repeatedly asked Individual 2 whether Individual 2 could find someone to murder C.B. in exchange for a sum of money.

29. On or about December 5, 2017, Individual 2 called from his cell phone and spoke with **MALDONADO-PASSAGE** on his cell phone. Individual 2 offered to introduce **MALDONADO-PASSAGE** to a person who would be willing to murder C.B. in exchange for a sum of money. **MALDONADO-PASSAGE** agreed to the meeting.

30. On or about December 8, 2017, Individual 2 introduced **MALDONADO-PASSAGE** to an undercover FBI agent, and together the three individuals discussed the details of **MALDONADO-PASSAGE**'s proposed plot to murder C.B.

31. On various dates from December 2017 to March 2018, **MALDONADO-PASSAGE** used his cell phone to speak with Individual 2 on his cell phone about using the undercover FBI agent to murder C.B.

32. No physical harm came to C.B. as a result of **MALDONADO-PASSAGE**'s proposed plot for her murder.

33. Beginning at least by December 5, 2017, and continuing through about March 2018, in the Western District of Oklahoma,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a "Joe Exotic," -----

used and caused another person to use any facility of interstate commerce, with intent that the murder of C.B. be committed in violation of the laws of the state of Oklahoma and the

state of Florida as consideration for the receipt of, and as consideration for a promise and agreement to pay, anything of pecuniary value.

All in violation of Title 18, United States Code, Section 1958(a), and Title 18, United States Code, Section 2.

Counts 3-7
(Violation of the Endangered Species Act)

34. The Federal Grand Jury incorporates paragraphs 1 and 7-17 by reference.

35. In or around October 2017, **MALDONADO-PASSAGE** anticipated the arrival of certain big cats that were to be boarded for a fee at the exotic animal park. **MALDONADO-PASSAGE** needed empty cages to house the big cats.

36. In or around October 2017, in the Western District of Oklahoma,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a “Joe Exotic,” -----

knowingly and unlawfully took the following endangered species of wildlife, by shooting and killing them:

Count	Endangered Species
3	Tiger (<i>Panthera tigris</i>) #1
4	Tiger (<i>Panthera tigris</i>) #2
5	Tiger (<i>Panthera tigris</i>) #3
6	Tiger (<i>Panthera tigris</i>) #4
7	Tiger (<i>Panthera tigris</i>) #5

All in violation of Title 16, United States Code, Section 1538(a)(1)(B), and Title 18, United States Code, Section 2.

Count 8
(Violation of the Endangered Species Act)

37. The Federal Grand Jury incorporates paragraphs 1 and 7-17 by reference.

38. On or about October 30, 2017, in the Western District of Oklahoma and elsewhere,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a “Joe Exotic,” -----

knowingly and unlawfully offered for sale in interstate commerce endangered species of wildlife, namely two tiger cubs (*Panthera tigris*).

All in violation of Title 16, United States Code, Section 1538(a)(1)(F), and Title 18, United States Code, Section 2.

Counts 9-11
(Violation of the Endangered Species Act)

39. The Federal Grand Jury incorporates paragraphs 1 and 7-17 by reference.

40. On or about the following dates, in the Western District of Oklahoma and elsewhere,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a “Joe Exotic,” -----

knowingly and unlawfully sold in interstate commerce from the Western District of Oklahoma to the following destinations, the following endangered species of wildlife:

Count	Date	Animal	Recipient/ Destination
9	11/16/16	Tiger, male, cub	Brown Zoo, Illinois
10	2/3/18	Tiger, female, 11 weeks old	T.S., Indiana
11	3/6/18	Tiger, female, 6 weeks old	Brown's Oakridge Zoo, Illinois

All in violation of Title 16, United States Code, Section 1538(a)(1)(F), and Title 18, United States Code, Section 2.

Counts 12, 15-20
(Violation of the Lacey Act: False Labeling of Wildlife)

41. The Federal Grand Jury incorporates paragraphs 1 and 7-17 by reference.
42. On or about the dates listed below, in the Western District of Oklahoma and elsewhere,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a “Joe Exotic,” -----

knowingly made and submitted and caused to be made and submitted a false record, account, and label for, and a false identification of the following wildlife with a market value greater than \$350, that was transported and that was intended to be transported in interstate commerce. Specifically, **MALDONADO-PASSAGE** designated and caused to be designated on delivery forms and Certificates of Veterinary Inspection (CVI) that the wildlife was being donated to the recipient or transported for exhibition only, when he knew that, in fact, the wildlife was being sold in interstate commerce:

Count	Date	Animal	False Form	Recipient/ Destination
12	11/16/16	Tiger, male, cub	Delivery form	Brown Zoo, Illinois
. . . .				
15	6/11/17	Lion, white female, 6 weeks old	Delivery form	T.S., Indiana
16	2/3/18	Tiger, female, 11 weeks old	Delivery form	T.S., Indiana
17	3/6/18	Tiger, female, 6 weeks old	Delivery form	Brown's Oakridge Zoo, Illinois
18	6/12/18	African lion, male, 8 years old African lion, female, 8 years old	CVI	Animal Haven Zoo, Wisconsin
19	6/13/18	Lion, male, 5 years old Lion, female, 7 years old	Delivery form	Animal Haven Zoo, Wisconsin
20	6/18/18	Lion, male, 2 weeks old Lion, male, adult, "Moses"	Delivery form	Branson Wild World, Missouri

All in violation of Title 16, United States Code, Section 3372(d)(2), and Section 3373(d)(3)(A)(ii), and Title 18, United States Code, Section 2.

Count 21
(Violation of the Lacey Act: False Labeling of Wildlife)

43. The Federal Grand Jury incorporates paragraphs 1 and 7-16 by reference.
44. On or about September 29, 2017, in the Western District of Oklahoma and elsewhere,

----- **JOSEPH MALDONADO-PASSAGE,**
a/k/a Joseph Allen Maldonado,
a/k/a Joseph Allen Schreibvogel,
a/k/a "Joe Exotic," -----

knowingly made and submitted a false record, account, and label for, and a false identification of wildlife, namely a 10-week-old female lemur, with a market value greater than \$350, in that **MALDONADO-PASSAGE** created a delivery form showing that the lemur was donated from himself to Ringling Animal Care, in Ringling, Oklahoma, when he knew that, in fact, the lemur had been sold and transported in interstate commerce.

All in violation of Title 16, United States Code, Section 3372(d)(2), and Section 3373(d)(3)(A)(ii), and Title 18, United States Code, Section 2.

INSTRUCTION NO. 4.

PRESUMPTION OF INNOCENCE—
BURDEN OF PROOF—REASONABLE DOUBT

The government has the burden of proving the defendant guilty beyond a reasonable doubt. The law does not require a defendant to prove his innocence or produce any evidence at all. The government has the burden of proving the defendant guilty beyond a reasonable doubt, and if it fails to do so, you must find the defendant not guilty.

Proof beyond a reasonable doubt is proof that leaves you firmly convinced of the defendant's guilt. There are few things in this world that we know with absolute certainty, and in criminal cases, the law does not require proof that overcomes every possible doubt. It is only required that the government's proof exclude any "reasonable doubt" concerning the defendant's guilt. A reasonable doubt is a doubt based on reason and common sense after careful and impartial consideration of all the evidence in the case. If, based on your consideration of the evidence, you are firmly convinced that the defendant is guilty of the crimes charged, you must find him guilty. If, on the other hand, you think there is a real possibility that the defendant is not guilty, you must give the defendant the benefit of the doubt and find the defendant not guilty.

INSTRUCTION NO. 5.

SUPERSEDING INDICTMENT IS NOT EVIDENCE

An indictment—or, in this case, the Superseding Indictment—is a formal method of accusing a defendant of a crime. It is not evidence of any kind against a defendant and does not create any presumption or permit any inference of guilt. It is merely a charge or accusation—nothing more and nothing less.

INSTRUCTION NO. 6.

ON OR ABOUT A PARTICULAR DATE

You will note that the Superseding Indictment charges that the crimes were committed on or about certain dates. The government must prove beyond a reasonable doubt that the defendant committed the crime or crimes reasonably near the date or dates charged.

INSTRUCTION NO. 7.

NOTE TAKING BY JURORS

You have been permitted to take notes during the testimony of this case. If you have done so, you may refer to your notes during deliberations and discuss the contents of them with other jurors. In your deliberations, give no more or no less weight to the views of a fellow juror just because that juror did or did not take notes. Your notes are not official transcripts but are simply aids to your memory. It is the testimony from the witness stand that must be the basis of your determination of the facts and, ultimately, your verdict in the case.

INSTRUCTION NO. 8.

EVIDENCE—DEFINED

You must make your decision based only on the evidence that you saw and heard here in court. Do not let rumors, suspicions, or anything else that you may have seen or heard outside of court influence your decision in any way.

The evidence in this case includes only what the witnesses said while they were testifying under oath, the exhibits that I allowed into evidence, the stipulations that the lawyers agreed to, and the facts that I have judicially noticed.

Nothing else is evidence. The lawyer's statements and arguments are not evidence. Their questions and objections are not evidence. My legal rulings are not evidence. And my comments and questions are not evidence.

During the trial, to the extent that I did not let you hear the answers to some of the questions that the lawyers asked, or ruled that you could not see some of the exhibits that the lawyers wanted you to see, or ordered you to disregard things that you saw or heard, or struck things from the record, you must completely ignore all of those things. Do not even think about them. Do not speculate about what a witness might have said or what an exhibit might have shown. These things are not evidence, and you are bound by your oath not to let them influence your decision in any way.

INSTRUCTION NO. 9.

EVIDENCE—DIRECT AND CIRCUMSTANTIAL—INFERENCES

There are, generally speaking, two types of evidence from which a jury may properly determine the facts of a case. One is direct evidence, such as the testimony of an eyewitness. The other is indirect or circumstantial evidence, that is, the proof of a chain of facts which point to the existence or non-existence of certain other facts.

As a general rule, the law makes no distinction between direct and circumstantial evidence. The law simply requires that you find the facts in accord with all the evidence in the case, both direct and circumstantial.

While you must consider only the evidence in this case, you are permitted to draw reasonable inferences from the testimony and exhibits, inferences you feel are justified in the light of common experience. An inference is a conclusion that reason and common sense may lead you to draw from facts which have been proved.

By permitting such reasonable inferences, you may make deductions and reach conclusions that reason and common sense lead you to draw from the facts which have been established by the testimony and evidence in this case.

INSTRUCTION NO. 10.

TRANSCRIPTS OF RECORDED CONVERSATIONS

During this trial, you have heard sound and video recordings of certain conversations. These conversations were legally recorded; they are a proper form of evidence and may be considered by you as you would any other evidence. You also saw transcripts of those recorded conversations.

Keep in mind that the transcripts are not evidence. They were only as a guide to help you follow what was being said. The recordings themselves are the evidence. If you noticed any differences between what you heard on the recordings and what you read in the transcripts, you must rely on what you heard, not what you read. If you could not hear or understand certain parts of the recordings, you must ignore the transcripts as far as those parts are concerned.

INSTRUCTION NO. 11.

SIMILAR ACTS

You have heard evidence of other crimes, acts, and wrongs engaged in by the defendant. You may consider that evidence only as it bears on the defendant's motive, opportunity, intent, preparation, plan, knowledge, or absence of mistake or accident, and for no other purpose. Of course, the fact that the defendant may have previously committed other crimes, acts, and wrongs does not mean that the defendant necessarily committed the act charged in this case.

INSTRUCTION NO. 12.

CREDIBILITY OF WITNESSES

I remind you that it is your job to decide whether the government has proved the guilt of the defendant beyond a reasonable doubt. In doing so, you must consider all of the evidence. This does not mean, however, that you must accept all of the evidence as true or accurate.

You are the sole judges of the credibility or “believability” of each witness and the weight to be given to the witness’s testimony. An important part of your job will be making judgments about the testimony of the witnesses who testified in this case, including the defendant. You should think about the testimony of each witness you have heard and decide whether you believe all or any part of what each witness had to say, and how important that testimony was.

In making that decision, I suggest that you ask yourself a few questions: Did the witness impress you as honest? Did the witness have any particular reason not to tell the truth? Did the witness have a personal interest in the outcome in this case? Did the witness have any relationship with either the government or the defense? Did the witness seem to have a good memory? Did the witness clearly see or hear the things about which he/she testified? Did the witness have the opportunity and ability to understand the questions clearly and answer them directly? Did the witness’s testimony differ from the testimony of other witnesses?

When weighing the conflicting testimony, you should consider whether the discrepancy has to do with a material fact or with an unimportant detail. And you should

keep in mind that innocent mis-recollection—like failure of recollection—is not uncommon.

The testimony of the defendant should be weighed and his credibility evaluated in the same way as that of any other witness.

In reaching a conclusion on a particular point, or ultimately in reaching a verdict in this case, do not make any decisions simply because there were more witnesses on one side than on the other.

INSTRUCTION NO. 13.

LAW ENFORCEMENT WITNESSES

You have heard the testimony of law enforcement officials. The fact that a witness may be employed by the federal government as a law enforcement official does not mean that his/her testimony is necessarily deserving of more or less consideration or greater or lesser weight than that of an ordinary witness.

It is your decision, after reviewing all the evidence, whether to accept the testimony of the law enforcement witness, and it is within your province to give that testimony whatever weight, if any, you find it deserves.

INSTRUCTION NO. 14.

EXPERT WITNESSES

During the trial, you heard the testimony of persons with scientific, technical, or other specialized knowledge that may assist you in understanding the evidence or in determining a fact in issue. A witness who has knowledge, skill, experience, training or education, may testify and state an opinion concerning such matters.

You are not required to accept such an opinion. You should consider opinion testimony just as you consider other testimony in this trial. Give opinion testimony as much weight as you think it deserves, considering the education and experience of the witness, the soundness of the reasons given for the opinion, and other evidence in the trial.

INSTRUCTION NO. 15.

IMPEACHMENT BY PRIOR INCONSISTENCIES

You have heard the testimony of certain witnesses who, before this trial, made statements that may be different from their testimony here in court.

These earlier statements were brought to your attention only to help you decide how believable the witnesses' testimony in this trial was. You cannot use them as proof of anything else. You can only use them as one way of evaluating their testimony here in court.

INSTRUCTION NO. 16.

IMPEACHMENT BY PRIOR CONVICTION

The testimony of a witness may be discredited or impeached by showing that the witness previously has been convicted either of a felony, that is, of a crime punishable by imprisonment for a term of years or of a crime of dishonesty or false statement. A prior conviction does not mean that a witness is not qualified to testify; it is merely one circumstance that you may consider in determining the credibility of the witness. You may decide how much weight to give any prior felony conviction or any crime of dishonesty that was used to impeach a witness.

INSTRUCTION NO. 17.

INFORMANT

You have heard testimony from an informant for the government. An informant is someone who provides evidence against someone else for a personal reason or advantage. The testimony of an informant alone, if believed by the jury, may be of sufficient weight to sustain a verdict of guilt, even though not corroborated or supported by other evidence.

You must examine and weigh an informant's testimony with greater care than the testimony of an ordinary witness. You must determine whether the informant's testimony has been affected by self-interest, by an agreement he/she has with the government, by his/her own interest in the outcome of the case, or by prejudice against the defendant.

You should not convict a defendant based on the unsupported testimony of an informant, unless you believe the unsupported testimony beyond a reasonable doubt.

INSTRUCTION NO. 18.

INVESTIGATIVE TECHNIQUES

You have heard testimony as to the manner in which the government conducted its investigation in this case, including certain investigative methods or techniques that were used and certain investigative methods or techniques that were not used. In attempting to prove its case, the government is under no obligation to use all of the investigative methods that are available to it or to use any particular method.

The question is whether the evidence presented is sufficient to convince you beyond a reasonable doubt of a defendant's guilt.

INSTRUCTION NO. 19.

COUNTS 1 AND 2—USE OF INTERSTATE COMMERCE FACILITIES
IN THE COMMISSION OF MURDER-FOR-HIRE
18 U.S.C. § 1958(a)

The defendant has been charged with two counts of violating 18 U.S.C. § 1958(a). To find the defendant guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

- First:** the defendant either (i) traveled in or caused another person to travel in interstate commerce or (ii) used or caused another person to use the mail or any facility of interstate commerce;
- Second:** that the defendant did so with the intent that a murder be committed in violation of the laws of any State or of the United States; and
- Third:** that the murder in question was intended to be committed either (i) as consideration for the receipt of anything of pecuniary value or (ii) as consideration for a promise or agreement to pay anything of pecuniary value.

Regarding the first element, you are instructed that “interstate commerce” means commerce or travel between one state of the United States and another state of the United States, and that “commerce” includes travel, trade, transportation, and communication. You are further instructed that a cellular telephone is a “facility of interstate commerce.”

Regarding the second element, you are instructed that intent ordinarily must not be proved directly, because there is no way of fathoming or scrutinizing the operations of the human mind. But you may infer the defendant’s intent from the surrounding circumstances. You may consider any statement made and act done or omitted by the defendant, and all other facts and circumstances in evidence which indicate the defendant’s

state of mind at the time he is alleged to have committed the crime charged. You may consider it reasonable to draw the inference and find that a person intends the natural probable consequences of acts knowingly done or knowingly omitted.

Regarding the third element, you are instructed that “anything of pecuniary value” means anything of value in the form of money, a negotiable instrument, a commercial interest, or anything else the primary significance of which is economic advantage. You are further instructed that “consideration” means something (such as an act, a forbearance, or a return promise) bargained for and received by a promisor from a promisee or that which motivates a person to do something.

INSTRUCTION NO. 20.

COUNTS 3 THROUGH 7—ILLEGAL TAKING
(ENDANGERED SPECIES ACT)
16 U.S.C. § 1538(a)(1)(B)

The defendant has been charged with five counts of violating 16 U.S.C. § 1538(a)(1)(B). To find the defendant guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

- First:** that the defendant did take an endangered species within the United States;
- Second:** that the defendant acted knowingly;
- Third:** that the animal was the endangered species alleged by the government;
- Fourth:** that the defendant knew the animal was a *panthera tigris* (tiger); and
- Fifth:** that the defendant did not have a permit to take the animal.

Regarding the first and third elements, you are instructed that *panthera tigris* (tiger) is an endangered species.

Regarding the first and fifth elements, you are instructed that to “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Regarding the second element, you are instructed that “knowingly” means that the act was done voluntarily and intentionally, and not because of mistake or accident. You are further instructed that the government need not prove the defendant intended to violate the Endangered Species Act if he intended to perform the act prohibited thereby.

INSTRUCTION NO. 21.

COUNT 8—ILLEGAL OFFER FOR SALE
(ENDANGERED SPECIES ACT)
16 U.S.C. § 1538(a)(1)(F)

The defendant has been charged with one count of violating 16 U.S.C. § 1538(a)(1)(F). To find the defendant guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

- First:** that the defendant offered for sale in interstate commerce an endangered species within the United States;
- Second:** that the defendant acted knowingly;
- Third:** that the animal was the endangered species alleged by the government;
- Fourth:** that the defendant knew the animal was a *panthera tigris* (tiger); and
- Fifth:** that the defendant did not have a permit to offer the animal for sale.

Regarding the first element, you are instructed that “interstate commerce” means commerce or travel between one state of the United States and another state of the United States, and that “commerce” includes travel, trade, transportation, and communication.

Regarding the first and third elements, you are instructed that *panthera tigris* (tiger) is an endangered species.

Regarding the second element, you are instructed that “knowingly” means that the act was done voluntarily and intentionally, and not because of mistake or accident. You are further instructed that the government need not prove the defendant intended to violate the Endangered Species Act if he intended to perform the act prohibited thereby.

INSTRUCTION NO. 22.

COUNTS 9 THROUGH 11—ILLEGAL SALE
(ENDANGERED SPECIES ACT)
16 U.S.C. § 1538(a)(1)(F)

The defendant has been charged with three counts of violating 16 U.S.C. § 1538(a)(1)(F). To find the defendant guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

- First:** that the defendant sold in interstate commerce an endangered species within the United States;
- Second:** that the defendant acted knowingly;
- Third:** that the animal was the endangered species alleged by the government;
- Fourth:** that the defendant knew the animal was a *panthera tigris* (tiger); and
- Fifth:** that the defendant did not have a permit to sell the animal.

Regarding the first element, you are instructed that “interstate commerce” means commerce or travel between one state of the United States and another state of the United States, and that “commerce” includes travel, trade, transportation, and communication.

Regarding the first and third elements, you are instructed that *panthera tigris* (tiger) is an endangered species.

Regarding the second element, you are instructed that “knowingly” means that the act was done voluntarily and intentionally, and not because of mistake or accident. You are further instructed that the government need not prove the defendant intended to violate the Endangered Species Act if he intended to perform the act prohibited thereby.

INSTRUCTION NO. 23.

COUNTS 12 AND 15 THROUGH 20—FALSE RECORDS OF WILDLIFE
(LACEY ACT)

16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(A)(ii)

The defendant has been charged with seven counts of violating 16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(A)(ii) regarding tigers and lions. To find the defendant guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

- First:** that the defendant knowingly made or submitted a false record, account, label, or identification concerning wildlife;
- Second:** that the wildlife had been or were intended to be transported in interstate commerce; and
- Third:** that the defendant's making or submission of a false record, account, label, or identification concerning wildlife involved the sale of wildlife with a market value of greater than \$350.

Regarding the first element, you are instructed that “knowingly” means that the act was done voluntarily and intentionally, and not because of mistake or accident.

Regarding the first, second, and third elements, you are instructed that “wildlife” means any wild animal, whether alive or dead, including without limitation any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, whether or not bred, hatched, or born in captivity, and includes any part, product, egg, or offspring thereof.

INSTRUCTION NO. 24.

COUNT 21—FALSE RECORD OF WILDLIFE
(LACEY ACT)
16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(A)(ii)

The defendant has been charged with one count of violating 16 U.S.C. §§ 3372(d)(2) and 3373(d)(3)(A)(ii) regarding a lemur. To find the defendant guilty of this crime, you must be convinced that the government has proved each of the following beyond a reasonable doubt:

- First:** that the defendant knowingly made or submitted a false record, account, label, or identification concerning wildlife;
- Second:** that the wildlife had been or were intended to be transported in interstate commerce; and
- Third:** that the defendant's making or submission of a false record, account, label, or identification concerning wildlife involved the sale of wildlife with a market value of greater than \$350.

Regarding the first element, you are instructed that “knowingly” means that the act was done voluntarily and intentionally, and not because of mistake or accident.

Regarding the first, second, and third elements, you are instructed that “wildlife” means any wild animal, whether alive or dead, including without limitation any wild mammal, bird, reptile, amphibian, fish, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, whether or not bred, hatched, or born in captivity, and includes any part, product, egg, or offspring thereof.

INSTRUCTION NO. 25.

CAUTION—CONSIDER ONLY CRIMES CHARGED

You are here to decide whether the government has proved beyond a reasonable doubt that the defendant is guilty of the crimes charged. The defendant is not on trial for any act, conduct, or crime not charged in the Superseding Indictment.

It is not up to you to decide whether anyone who is not on trial in this case should be prosecuted for any of the crimes charged. The fact that another person *also* may be guilty is no defense to a criminal charge.

The question of the possible guilt of others should not enter your thinking as you decide whether this defendant has been proved guilty of the crimes charged.

INSTRUCTION NO. 26.

MULTIPLE COUNTS

A separate crime is charged against the defendant in each count of the Superseding Indictment. You must separately consider the evidence against the defendant on each count and return a separate verdict for each count.

Your verdict as to any count, whether it is guilty or not guilty, should not influence your verdict as to any other count.

INSTRUCTION NO. 27.

CAUTION—PUNISHMENT

If you find the defendant guilty, it will be my duty to decide what the punishment will be. You should not discuss or consider the possible punishment in any way while deciding your verdict.

INSTRUCTION NO. 28.

COMMUNICATION WITH THE COURT

If you want to communicate with me at any time during your deliberations, please write down your message or question and give it to the bailiff, who will bring it to my attention. I will respond as promptly as possible, either in writing or by having you return to the courtroom so that I can address you orally. I caution you, however, that with any message or question you might send, you should not tell me any details of your deliberations or indicate how many of you are voting in a particular way on any issue.

Let me remind you again that nothing I have said in these instructions, nor anything I have said or done during the trial, was meant to suggest to you what I think your decision should be. That is your exclusive responsibility.

INSTRUCTION NO. 29.

CLOSING ARGUMENTS

Counsel will now be allowed to make closing arguments. You are reminded that what the lawyers say is not evidence. It is intended to assist you in recalling the evidence and to suggest inferences you may wish to draw, but you are not bound by what the lawyers say in closing argument. It is your recollection of the evidence and the inferences you choose to draw that control. Counsel may refer to the instructions I have given you about the law you are to apply when deciding this case. In that regard, if there is any inconsistency between what counsel may say about the instructions and the actual instructions I have given to you, you must apply the instructions as I have stated them.

Because the government has the burden of proof, the government will go first, then the defendant will make a closing argument, and then the government will complete the arguments by presenting a rebuttal argument.

INSTRUCTION NO. 30.

DUTY TO DELIBERATE—VERDICT FORM

In a moment, the bailiff will escort you to the jury room and provide each of you with a copy of the instructions that I have just read. Any exhibits admitted into evidence will also be placed in the jury room for your review.

If any of you have cell phones or similar devices with you, you are instructed to be sure they are turned off and then to turn them over to the bailiff as you enter the jury deliberation room. They will be held by the bailiff for you and returned to you after your deliberations are completed and during any lunch break or similar period when you are not deliberating. The purpose of this requirement is to avoid any interruption or distraction during your deliberations and to avoid any question of outside contact with the jury during your deliberations.

You will note from the oath about to be taken by the bailiff, that during the course of your deliberations, the bailiff and other persons are forbidden from communicating in any way or manner with any member of the jury on any subject touching the merits of the case.

When you go to the jury room, you should first select a foreperson, who will help to guide your deliberations and will speak for you here in the courtroom. The second thing you should do is review the instructions. Not only will your deliberations be more productive if you understand the legal principles upon which your verdict must be based, but for your verdict to be valid, you must follow the instructions throughout your

deliberations. Remember, you are the judges of the facts, but you are bound by your oath to follow the law stated in the instructions.

To reach a verdict, whether it is guilty or not guilty, all of you must agree. Your verdict must be unanimous on each count of the Superseding Indictment. Your deliberations will be secret. You will never have to explain your verdict to anyone.

You must consult with one another and deliberate in an effort to reach agreement if you can do so. Each of you must decide the case for yourself, but only after an impartial consideration of the evidence with your fellow jurors. During your deliberations, do not hesitate to reexamine your own opinions and change your mind if convinced that you were wrong. But do not give up your honest beliefs solely because of the opinion of your fellow jurors, or for the mere purpose of returning a verdict.


Remember at all times, you are judges—judges of the facts. You must decide whether the government has proved the defendant guilty beyond a reasonable doubt.

A verdict form has been prepared for your convenience. The foreperson will write the unanimous answer of the jury in the space provided for each count of the Superseding Indictment, either guilty or not guilty. At the conclusion of your deliberations, the foreperson should date and sign the verdict.

If you need to communicate with me during your deliberations, the foreperson should write the message and give it to the bailiff. I will either reply in writing or bring you back into the court to respond to your message. Under no circumstances should you reveal to me the numerical division of the jury.

The bailiff will come forward and be sworn.

Members of the jury, please follow the bailiff to the deliberation room where you will commence your deliberations. The alternate jurors will remain in the courtroom. All persons in the courtroom please remain seated until the jury has retired.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. CR-18-227-SLP
)	
JOSEPH MALDONADO-PASSAGE,)	
)	
Defendant.)	

VERDICT

We, the jury, duly empaneled and sworn in the above-entitled cause, upon our oaths find **DEFENDANT JOSEPH MALDONADO-PASSAGE** as follows:

COUNT 1 – alleged use of interstate commerce facilities in the commission of murder-for-hire, in violation of 18 U.S.C. § 1958(a):

Not Guilty _____

Guilty X

COUNT 2 – alleged use of interstate commerce facilities in the commission of murder-for-hire, in violation of 18 U.S.C. § 1958(a):

Not Guilty _____

Guilty X

COUNT 3 – alleged violation of the Endangered Species Act by illegal taking, in violation of 16 U.S.C. § 1538(a)(1)(B):

Not Guilty _____

Guilty X

COUNT 4 – alleged violation of the Endangered Species Act by illegal taking, in violation of 16 U.S.C. § 1538(a)(1)(B):

Not Guilty _____

Guilty X

COUNT 5 – alleged violation of the Endangered Species Act by illegal taking, in violation of 16 U.S.C. § 1538(a)(1)(B):

Not Guilty _____

Guilty X

COUNT 6 – alleged violation of the Endangered Species Act by illegal taking, in violation of 16 U.S.C. § 1538(a)(1)(B):

Not Guilty _____

Guilty X

COUNT 7 – alleged violation of the Endangered Species Act by illegal taking, in violation of 16 U.S.C. § 1538(a)(1)(B):

Not Guilty _____

Guilty X

COUNT 8 – alleged violation of the Endangered Species Act by illegal offering for sale, in violation of 16 U.S.C. § 1538(a)(1)(F):

Not Guilty _____

Guilty X

COUNT 9 – alleged violation of the Endangered Species Act by illegal sale, in violation of 16 U.S.C. § 1538(a)(1)(F):

Not Guilty _____

Guilty X

COUNT 10 – alleged violation of the Endangered Species Act by illegal sale, in violation of 16 U.S.C. § 1538(a)(1)(F):

Not Guilty _____

Guilty X

COUNT 11 – alleged violation of the Endangered Species Act by illegal sale, in violation of 16 U.S.C. § 1538(a)(1)(F):

Not Guilty _____

Guilty X

COUNT 12 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____

Guilty X

COUNT 15 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____

Guilty X

COUNT 16 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____

Guilty X

COUNT 17 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____
Guilty X

COUNT 18 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____
Guilty X

COUNT 19 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____
Guilty X

COUNT 20 – alleged violation of the Lacey Act for false records of wildlife, in violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____
Guilty X

COUNT 21 – alleged violation of the Lacey Act for false records of wildlife, in
violation of 16 U.S.C. § 3372(d)(2):

Not Guilty _____

Guilty X

4-2-2019
DATE

Thomas Busley
FOREPERSON

AO 245B (Rev. 09/19) Judgment in a Criminal Case
 Sheet 1A

Judgment—Page 2 of 9

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
 CASE NUMBER: CR-18-00227-001-SLP

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
16 U.S.C. § 1538(a)(1)(B), 16 U.S.C. § 1540(b)(1), and 18 U.S.C. § 2	Violation of the Endangered Species Act, aiding and abetting	Oct. 2017	3
16 U.S.C. § 1538(a)(1)(B), 16 U.S.C. § 1540(b)(1), and 18 U.S.C. § 2	Violation of the Endangered Species Act, aiding and abetting	Oct. 2017	4
16 U.S.C. § 1538(a)(1)(B), 16 U.S.C. § 1540(b)(1), and 18 U.S.C. § 2	Violation of the Endangered Species Act, aiding and abetting	Oct. 2017	5
16 U.S.C. § 1538(a)(1)(B), 16 U.S.C. § 1540(b)(1), and 18 U.S.C. § 2	Violation of the Endangered Species Act, aiding and abetting	Oct. 2017	6
16 U.S.C. § 1538(a)(1)(B), 16 U.S.C. § 1540(b)(1), and 18 U.S.C. § 2	Violation of the Endangered Species Act, aiding and abetting	Oct. 2017	7
16 U.S.C. § 1538(a)(1)(F) and 16 U.S.C. § 1540(b)(1)	Violation of the Endangered Species Act, aiding and abetting	10/30/2017	8
16 U.S.C. § 1538(a)(1)(F) and 16 U.S.C. § 1540(b)(1)	Violation of the Endangered Species Act, aiding and abetting	11/16/2016	9
16 U.S.C. § 1538(a)(1)(F) and 16 U.S.C. § 1540(b)(1)	Violation of the Endangered Species Act, aiding and abetting	02/03/2018	10
16 U.S.C. § 1538(a)(1)(F) and 16 U.S.C. § 1540(b)(1)	Violation of the Endangered Species Act, aiding and abetting	03/06/2018	11
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	11/16/2016	12
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	06/11/2017	15

AO 245B (Rev. 09/19) Judgment in a Criminal Case
 Sheet 1B

Judgment—Page 3 of 9

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
 CASE NUMBER: CR-18-00227-001-SLP

ADDITIONAL COUNTS OF CONVICTION

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	02/03/2018	16
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	03/06/2018	17
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	06/12/2018	18
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	06/13/2018	19
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	06/18/2018	20
16 U.S.C. § 3372(d)(2), 16 U.S.C. § 3373(d)(3)(A) (ii) and 18 U.S.C. § 2	Violation of the Lacey Act: False labeling of wildlife	09/29/2017	21

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
CASE NUMBER: CR-18-00227-001-SLP

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:
264 months. This consists of 108 months on Ct. 1; 108 months on Ct. 2, to run consecutively to Ct. 1;
12 months on each of Cts. 3-11, to run concurrently with each other and with Ct. 1; and 48 months on each
of Cts. 12 and 15-21, to run concurrently with each other but consecutively to Cts. 1 and 2.

☒ The court makes the following recommendations to the Bureau of Prisons:

It is recommended the defendant participate in the Federal Bureau of Prisons Inmate Financial Responsibility Program at a rate determined by Bureau of Prisons staff in accordance with the program.

It is recommended that the defendant, if eligible, be designated to FMC Fort Worth or FPC Pensacola.

☐ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____ .
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ By 2 p.m. on _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered _____ to _____
on _____
at _____ , with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____

DEPUTY UNITED STATES MARSHAL

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
CASE NUMBER: CR-18-00227-001-SLP

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of :
3 years on each of Cts. 1, 2, 12, and 15-21, and 1 year on each of Cts. 3-11.

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, et seq.) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
6. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
CASE NUMBER: CR-18-00227-001-SLP

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. Stricken.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's
Signature

Date

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
CASE NUMBER: CR-18-00227-001-SLP

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall participate in a program of mental health aftercare at the direction of the probation officer. The court may order that the defendant contribute to the cost of services rendered (copayment) in an amount to be determined by the probation officer based on the defendant's ability to pay.

The defendant shall participate in a program of substance abuse aftercare at the direction of the probation officer to include urine, breath, or sweat patch testing; and outpatient treatment. The defendant shall totally abstain from the use of alcohol and other intoxicants both during and after completion of any treatment program. The defendant shall not frequent bars, clubs, or other establishments where alcohol is the main business. The court may order that the defendant contribute to the cost of services rendered (copayment) in an amount to be determined by the probation officer based on the defendant's ability to pay.

The defendant must submit to a search of his person, property, electronic devices or any automobile under his control to be conducted in a reasonable manner and at a reasonable time, for the purpose of determining possession, or evidence of possession, of controlled substances, firearms or other prohibited weapons, animals protected by the Endangered Species Act, prohibited wildlife species as defined by the Lacey Act, and/or evidence of contact with or threats toward Carole Baskin or any other representative of Big Cat Rescue, at the direction of the probation officer upon reasonable suspicion. Further, the defendant must inform any residents that the premises may be subject to a search.

The defendant shall have no contact with Carole Baskin. The defendant is prohibited from making any threats regarding the person or property of Carole Baskin.

The defendant shall not possess any species of animal listed as endangered or threatened under the Endangered Species Act or any prohibited wildlife species as defined by the Lacey Act. In addition to this prohibition on possession, the defendant shall not engage in the sale, transport, or other transfer of such animals or their hides or other body parts.

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
 CASE NUMBER: CR-18-00227-001-SLP

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 1,225.00	\$	\$	\$	\$

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
----------------------	----------------------	----------------------------	-------------------------------

TOTALS \$ _____ \$ _____

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: Joseph Maldonado-Passage, a/k/a Joseph Allen Maldonado, a/k/a Joseph Allen Schreibvogel, a/k/a Joe Exotic
 CASE NUMBER: CR-18-00227-001-SLP

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties is due as follows:

- A ☒ Lump sum payment of \$ 1,225.00 due immediately, balance due
☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, ☐ E, or ☐ F below; or
- B ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, or ☐ F below); or
- C ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F ☐ Special instructions regarding the payment of criminal monetary penalties:
 If restitution is not paid immediately, the defendant shall make payments of 10% of the defendant's quarterly earnings during the term of imprisonment.

After release from confinement, if restitution is not paid immediately, the defendant shall make payments of the greater of \$_____ per month or 10% of defendant's gross monthly income, as directed by the probation officer. Payments are to commence not later than 30 days after release from confinement.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, shall be paid through the United States Court Clerk for the Western District of Oklahoma, 200 N.W. 4th Street, Oklahoma City, Oklahoma 73102.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☐ Joint and Several

Case Number	Defendant and Co-Defendant Names (including defendant number)	Total Amount	Joint and Several Amount	Corresponding Payee, if appropriate
-------------	--	--------------	-----------------------------	--

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:
 All right, title, and interest in the assets listed in the Preliminary Order of Forfeiture dated _____ (doc. no. _____).

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) AVAA assessment, (5) fine principal, (6) fine interest, (7) community restitution, (8) JVTa assessment, (9) penalties, and (10) costs, including cost of prosecution and court costs.

LAWSUITS

IN THE DISTRICT COURT OF GARVIN COUNTY
STATE OF OKLAHOMA

State of Oklahoma, ex rel. Oklahoma)
Tax Commission,)
)
Plaintiff,)
and)
)
Joseph Allen Maldonado-Passage,)
)
Applicant for Intervention,)
)
vs.)
)
Greater Wynnewood Exotic Animal Park,)
LLC and Jeff Lowe, individually and as)
President of Greater Wynnewood Exotic)
Animal Park, LLC,)
)
Defendants.)

STATE OF OKLAHOMA)
GARVIN COUNTY) ss.
FILED)
JUL 29 2020)
AT _____ O'CLOCK _____ M.)
LAURA LEE, Court Clerk)
BY _____ DEPUTY)

CASE NO. CJ-20-72
JUDGE LEAH EDWARDS

MOTION TO INTERVENE

COMES NOW, Joseph Allen Maldonado-Passage (hereinafter "Maldonado-Passage" or "Movant"), by and through Elliott C. Crawford of the Law Office of Elliott C. Crawford, P.C., and, pursuant to 12 O.S. § 2024, moves this Court to enter an Order allowing Maldonado-Passage to intervene in the above-entitled cause¹. In support hereof, Maldonado-Passage states as follows:

¹ As required by 12 O.S. § 2024(C), attached as Exhibit 1 is a copy of Movant's pleading setting forth the claims for which intervention is sought.

Introduction and Procedural Posture

On June 10, 2020, the State of Oklahoma filed a *Petition* seeking injunctive relief and recovery of indebtedness for Defendants' alleged tax delinquency. On June 11, 2020, Defendants were served by the Garvin County Sheriff's Office. On July 1, 2020, the Defendants filed a *Special Appearance and Request for Enlargement of Time*, requesting an additional twenty days in which to answer Plaintiff's *Petition*. On July 21, 2020, Defendants filed their *Answer to Plaintiff's Petition for Injunctive Relief and Recovery for Indebtedness*. A Scheduling Order has not been entered by the Court, this matter has not been set for trial, and there are not any hearings currently set on the Court's docket.

Legal Authorities

Oklahoma law allows a party to intervene by way of "right" or "permissive intervention". Title 12, Section 2024 of Oklahoma Statutes expressly provides, in part:

A. INTERVENTION OF RIGHT. Upon timely application anyone shall be permitted to intervene in an action:

- 1. When a statute confers an unconditional right to intervene; or*
- 2. When the applicant claims an interest relating to the property or transaction which is the subject of the action and the applicant is so situated that the disposition of the action may as a practical matter impair or impede the applicant's ability to protect that interest; provided, there shall be a rebuttable presumption that disposition of a petition requesting the appointment of a guardian for an incapacitated or partially*

incapacitated person will impair or impede the ability to protect property or other rights of the persons required to receive notice of the appointment pursuant to Section 3-110 of Title 30 of the Oklahoma Statutes.

B. PERMISSIVE INTERVENTION. Upon timely application anyone may be permitted to intervene in an action:

- 1. When a statute confers a conditional right to intervene; or*
- 2. When an applicant's claim or defense and the main action have a question of law or fact in common.*

When a party to an action relies for ground of claim or defense upon any statute or executive order administered by a federal or state governmental officer or agency or upon any regulation, order, requirement or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely application may be permitted to intervene in the action. In exercising its discretion, the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties.

The Oklahoma Supreme Court has identified the following four requirements for intervention as a right: (1) the motion to intervene must be timely; (2) the intervenor must assert a significant protectable interest relating to the property or transaction in the litigation; (3) the disposition of the litigation may impair or impede the intervenor's ability to protect its interest; and (4) the existing parties may not adequately represent the intervenor's interests. *Brown v. Patel*, 157 P.3d 117, 124, 2007 OK 16, ¶ 17; *Tulsa Industrial Authority v. City of Tulsa*, 270 P.3d 113, 128, 2011 OK 57, ¶ 31. When considering timeliness of a motion to intervene, the court should consider all of the circumstances, including the length of time since the

movant knew of its interests, prejudice to the parties, prejudice to the movant, and any unusual circumstances. *Tulsa Industrial Auth.*, at 128. When considering the adequacy of representation of the intervenor's interests, courts may consider a conflict of interest to show motivation by a party to litigate less vigorously than the intervenor would litigate. *Id.* at 130. However, the interests of a party and the intervenor need not be totally adverse. *Id.*

Synopsis of Relationship Between Movant and Defendants

Maldonado-Passage is the subject of the Netflix docuseries *Tiger King: Murder, Mayhem and Madness* which has catapulted Maldonado-Passage into the collective American imagination as the "Tiger King". Since the release of the series, there have been many controversies surrounding the Oklahoma zoo that is the subject of this lawsuit. Recently, Maldonado-Passage's former business partner, Defendant Jeff Lowe (hereinafter "Lowe"), has been revealed to have allegedly used a fraudulent Intellectual Property Agreement during negotiations with the production company that produced the *Tiger King* series.

In 2016, Defendant Lowe purchased Maldonado-Passage's zoo. In February of that year, Defendant Lowe and Maldonado-Passage signed a Performance Contract, permitting the zoo, **not Lowe personally** (emphasis added), to use Maldonado-Passage's face, likeness and brands. In May of 2020, Maldonado-Passage discovered that Defendant Lowe breached the terms of this contract.

During talks between Defendant Lowe and Goode Film Productions – the company that produced the docuseries – Defendant Lowe acted under the false pretense that he exclusively owned Maldonado-Passage’s likeness and that Lowe could license out the trademark “Tiger King”. When Defendant Lowe gave the Performance Contract to Goode Film Productions for review, Lowe included an Intellectual Property Agreement which supposedly showed that Maldonado-Passage signed over merchandising rights for “Tiger King” to Lowe.

The legitimacy of the agreement has now been brought into question as Maldonado-Passage maintains that Maldonado-Passage never signed the agreement and was only informed of its existence while in custody at the Federal Medical Center- Carswell in Fort Worth, Texas.² Regardless of whether the agreement is real or not, the “Tiger King” trademark is not legally Maldonado-Passage’s to sell. It belongs to wildlife photographer, Timothy Sepi, who, as an employee of and on Maldonado-Passage’s behalf, secured the trademark from the Oklahoma Secretary of State in February 2016. Defendant Lowe was aware that Sepi was the only person able to transfer the trademark’s ownership, so Lowe had his attorney reach out to Sepi for a partnership to allow Defendant Lowe to use “Tiger King”; however, Sepi declined. Attempting to convince Sepi to transfer the trademark’s ownership and

² It should be noted here that the forging of a document having legal significance is a violation of 21 O.S. § 1561 et seq.

allegedly forging an Intellectual Property Agreement were not Defendant Lowe's only attempts to obtain the trademark. In April 2020, Lowe applied for a "Tiger King" trademark in the State of Oklahoma.

Subsequent to the airing of the documentary miniseries, Defendant Lowe has attempted to capitalize on his stardom and remain relevant, specifically by conducting numerous interviews with various media outlets. During these interviews, Defendant Lowe has communicated and published false and defamatory statements about Intervenor that have exposed Intervenor to public hatred, contempt, ridicule, and disgrace.

In May of 2020, Defendant Lowe responded to various questions on reddit.com, an American social news aggregation, web content rating, and discussion website. A question posed on the thread inquired "what (if any) weird S*IT have you found out about Joe Exotic since he's been incarcerated randomly around the park?" In response, Defendant Lowe wrote "we found . . . a flash drive of Joe and Finley and they were having sexual relations with animals in the park."

On April 18, 2020, "Nicky's House", a channel on YouTube, published a video of an interview that was conducted with Defendant Lowe. At approximately one hour and three minutes into the interview, Defendant Lowe was asked, "what's the worst thing [Maldonado-Passage] did?" Defendant Lowe replied, "the worst thing Joe did was walk around here fucking farm animals. [Maldonado-Passage]

and John Finley dressed up like . . . John Finley dressed up like cheerleaders and Joe would film him fucking all the animals.”

On or about April 10, 2020, Defendant Lowe conducted an interview with Alan Butterfield of Dailymail.com, which was published on Dailymail’s website. During the interview, Defendant Lowe stated that Defendant Lowe gained access to Maldonado-Passage’s email accounts that allegedly revealed Maldonado-Passage soliciting men for sex. In fact, Defendant Lowe reported to Dailymail.com that “we found lists of all of these accounts and passwords and I got into a couple of his email accounts” Maldonado-Passage contends that Defendant Lowe was not authorized to access Maldonado-Passage’s email accounts.³

During the same interview with Dailymail.com, Defendant Lowe also stated that Defendant Lowe obtained several thumb drives containing sexually-explicit photographs and videos of Maldonado-Passage. In September of 2018, it was discovered that Defendant Lowe had unlawfully entered Maldonado-Passage’s private residence (located off park property) and obtained thumb drives and computer equipment without Maldonado-Passage’s consent.⁴ After unlawfully

³ It should be noted here that unauthorized access of a computer, computer system, computer network, or any other property is a violation of the Oklahoma Computer Crimes Act- 21 O.S. § 1953.

⁴ It should be noted here that the breaking and entering of a dwelling house of another, where no human being was present, in which property is kept, with the intent to steal or commit a felony, is a criminal offense- in violation of 21 O.S. §

gaining access to Maldonado-Passage's electronic devices, Defendant Lowe disseminated Maldonado-Passage's private information to various media outlets, which, in turn, published the information to the public.⁵

Application of Elements: Intervention as of Right

As to the element of timeliness, this case only commenced on June 10, 2020. Moreover, the Defendants recently filed its *Answer* on July 21, 2020. As mentioned above, a Scheduling Order has not been entered by the Court and there are no hearings set on the Court's docket. In sum, it appears that this case is in the infancy stages of the litigation and, as such, the parties will not be prejudiced by Movant's intervention. Thus, Movant's request is timely.

Next, Movant has a significant protectable interest relating to the property or transaction in the litigation. As mentioned above, in February of 2016, Movant and Defendant Lowe signed a Performance Contract, permitting the zoo, not Lowe, to

1435(A). Moreover, the taking, carrying away, of personal property of another, valued at \$1,000.00 or more, by fraud or stealth, with the intent to deprive permanently, is also a criminal offense- in violation of 21 O.S. § 1701 et seq.

⁵ It should be noted here that "revenge porn" is now a criminal offense in the State of Oklahoma. Specifically, the intentional dissemination of an image of another, who is at least eighteen years of age, who is identifiable from the image displayed, who is engaged in a sexual act or whose intimate parts are exposed; or dissemination of an image with the intent to harass; or obtaining the image under circumstances in which a reasonable person would know that the image was to remain private; or knows or a reasonable person should have known that the person would know or understand that the image was to remain private, is a criminal offense- in violation of 21 O.S. § 1040.13b.

use Maldonado-Passage's face, likeness and brands. Through a series of intentional misrepresentations and fraudulent transactions, Defendant Lowe has wrongfully benefited financially at Movant's expense, resulting in significant financial loss to Movant. Because Plaintiff seeks to collect a significant amount of currency from Defendant Lowe, Movant submits that Movant has a significant interest in the same property that Plaintiff seeks to seize. See Exhibit A to Plaintiff's *Petition for Injunctive Relief and Recovery of Indebtedness*.

Movant's significant interest in this action will be impaired if Movant is not allowed to intervene. As this Court is aware, Plaintiff seeks injunctive relief against Defendants (including Defendant Lowe in his individual capacity), including enjoining the Defendants from transferring, disposing, or concealing any money or property belonging to the Defendants, without prior approval. See p. 4, ¶ 17 of Plaintiff's *Petition for Injunctive Relief and Recovery of Indebtedness*. Thus, if the Court were to grant the injunctive relief requested by Plaintiff, and if Movant were forced to file a separate action against Lowe, Movant would have to wait until the tax suit has taken its course before Movant would be allowed to proceed with collecting against Defendant Lowe's estate. Furthermore, if an audit is performed of Defendant Lowe's personal finances and additional delinquencies are discovered, it's feasible that Lowe may personally owe additional taxes and penalties to Plaintiff, resulting in further dissipation of Lowe's estate. In short, by the time Movant files

a separate cause of action and waits for the disposition of the tax suit, Movant may not be able to collect a dime from Defendant Lowe and Movant will be left without redress.

With respect to the element of adequacy of representation, it's well-settled that the Oklahoma Tax Commission, as an agency of the State of Oklahoma tasked with enforcing the Oklahoma Tax Code, is prohibited from representing and/or collecting civil damages for private entities and/or individuals. Thus, it's uncontested that Plaintiff cannot represent Movant's interests.

Permissive Intervention

Alternatively, Maldonado-Passage is permitted to intervene in this action because Movant's claims and the main action have a question of fact in common. 12 O.S. § 2024(B)(2). Again, as mentioned above, Defendant Lowe's intentional and fraudulent misrepresentations have allowed Defendant Lowe to financially benefit at Movant's expense. The manner in which Lowe obtained these proceeds (crux of Movant's claims) and how Lowe disposed of and/or allegedly mismanaged these funds (related to Plaintiff's claims) are intertwined. As such, Movant's claims and the main action possess commonality, which, in the interests of judicial economy, dictate disposition in the same action.

Conclusion and Relief Requested

WHEREFORE, Joseph Allen Maldonado-Passage respectfully requests this Court to enter an Order allowing Maldonado-Passage to intervene in the above-entitled cause and for any additional relief, both general and specific, to which this Court deems just and equitable.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Elliott C. Crawford', is written over a horizontal line.

ELLIOTT C. CRAWFORD, OBA #21496
Law Office of Elliott C. Crawford, P.C.
903 N.W. 13th Street
Oklahoma City, Oklahoma 73106
Telephone: (405) 519-3796
Facsimile: (405) 562-8553
Email: ecrawford@okdefense.com
Attorney for Joseph Maldonado-Passage

CERTIFICATE OF MAILING

I, Elliott C. Crawford, hereby certify that on the 29th day of July, 2020, a true and correct copy of the foregoing *Motion to Intervene* was mailed by depositing same in the U.S. Mail with first class prepaid postage affixed thereon to:

1. Alan Leizear
Stanton Yeakley
Miles Taylor
Oklahoma Tax Commission
440 S. Houston, Ste. 501B
Tulsa, Oklahoma 74127
Attorneys for Plaintiff

2. James M. Wirth
Justin W. Mosteller
Kenneth E. Adair
David D. English
500 West 7th Street
Tulsa, Oklahoma 74119
Attorneys for Defendants


ELLIOTT C. CRAWFORD

**IN THE DISTRICT COURT OF GARVIN COUNTY
STATE OF OKLAHOMA**

State of Oklahoma, ex rel. Oklahoma)	
Tax Commission,)	
)	
Plaintiff,)	
and)	
)	
Joseph Allen Maldonado-Passage,)	
)	CASE NO. CJ-20-72
Applicant for Intervention,)	JUDGE LEAH EDWARDS
vs.)	
)	
Greater Wynnewood Exotic Animal Park,)	
LLC and Jeff Lowe, individually and as)	
President of Greater Wynnewood Exotic)	
Animal Park, LLC,)	
)	
Defendants.)	

PETITION IN INTERVENTION

COMES NOW Intervenor, Joseph Allen Maldonado-Passage (hereinafter “Maldonado-Passage” or “Intervenor”), by and through his attorney of record, Elliott C. Crawford of the Law Office of Elliott C. Crawford, P.C., and for Intervenor’s causes of action against the Defendant, Jeff Lowe (hereinafter “Lowe”), individually and as President of Greater Wynnewood Exotic Animal Park, L.L.C., alleges and states as follows:

1. Intervenor is now and has been for more than six (6) months preceding the filing of the Petition herein a domiciliary of the State of Oklahoma and a

- resident of Garvin County more than thirty (30) days at the time this Petition is filed.
2. Defendant Jeff Lowe is now and have been for more than six (6) months preceding the filing of the Petition herein a domiciliary of the State of Oklahoma and resident of Garvin County more than thirty (30) days at the time this Petition is filed. Defendant Jeff Lowe is the President of Greater Wynnewood Exotic Animal Park, L.L.C. Defendant Lowe is sued in both his personal capacity and in his capacity as the President of Greater Wynnewood Exotic Animal Park, L.L.C.
 3. Subject Matter Jurisdiction is proper with this Court pursuant to Okla. Const. Art. 7 § 7(a) and Personal Jurisdiction is proper with this Court pursuant to 12 O.S. § 2004(F).
 4. Venue is proper in this county.

Introduction

5. Maldonado-Passage is the subject of the Netflix docuseries *Tiger King: Murder, Mayhem and Madness* which has catapulted Maldonado-Passage into the collective American imagination as the “Tiger King”. Since the release of the series, there have been many controversies surrounding the Greater Wynnewood Exotic Animal Park located in Wynnewood, Oklahoma.
6. Recently, Maldonado-Passage’s former business partner, Defendant Jeff Lowe (hereinafter “Lowe” or “Defendant Lowe”), has been revealed to have

allegedly used a fraudulent Intellectual Property Agreement during negotiations with the production company that produced the *Tiger King* series.

7. In 2016, Defendant Lowe purchased Maldonado-Passage's zoo. On February 18, 2016, Defendant Lowe and Maldonado-Passage signed a Performance Contract, permitting the zoo, **not Lowe personally** (emphasis added), to use Maldonado-Passage's face, likeness and brands. A copy of the contract is attached hereto as Exhibit No. 1.
8. In May of 2020, Maldonado-Passage discovered that Defendant Lowe breached the terms of the Performance Contract.
9. During talks between Defendant Lowe and Goode Film Productions – the company that produced the docuseries – Defendant Lowe acted under the false pretense that he exclusively owned Maldonado-Passage's likeness and that Lowe could license out the trademark "Tiger King". When Defendant Lowe gave the Performance Contract to Goode Film Productions for review, Lowe included an Intellectual Property Agreement (hereinafter "Agreement") which supposedly showed that Maldonado-Passage signed over merchandising rights for "Tiger King" to Lowe. A copy of the "Agreement" is attached hereto as Exhibit No. 2.
10. The legitimacy of the Agreement has now been brought into question as Maldonado-Passage maintains that Maldonado-Passage never signed the

Agreement and was only informed of its existence while in custody at the Federal Medical Center- Carswell in Fort Worth, Texas.¹

11. Regardless of whether the Agreement is real or not, the “Tiger King” trademark is not legally Maldonado-Passage’s to sell. It belongs to wildlife photographer, Timothy Sepi, who, as an employee of and on Maldonado-Passage’s behalf, secured the trademark from the Oklahoma Secretary of State in February 2016.
12. Defendant Lowe was aware that Sepi was the only person able to transfer the trademark’s ownership, so Lowe had his attorney reach out to Sepi for a partnership to allow Defendant Lowe to use “Tiger King”; however, Sepi declined. A copy of Sepi’s Affidavit is attached hereto as Exhibit No. 3.
13. Attempting to convince Sepi to transfer the trademark’s ownership and allegedly forging an Intellectual Property Agreement were not Defendant Lowe’s only attempts to obtain the trademark. In April 2020, Lowe applied for a “Tiger King” trademark in the State of Oklahoma.
14. Subsequent to the airing of the documentary miniseries, Defendant Lowe has attempted to capitalize on his stardom and remain relevant, specifically by conducting numerous interviews with various media outlets.

¹ It should be noted here that the forging of a document having legal significance is a violation of 21 O.S. § 1561 et seq.

15. During these interviews, Defendant Lowe has communicated and published false and defamatory statements about Intervenor that have exposed Intervenor to public hatred, contempt, ridicule, and disgrace.
16. In May of 2020, Defendant Lowe responded to various questions on reddit.com, an American social news aggregation, web content rating, and discussion website.
17. A question posed on the thread inquired “what (if any) weird S*IT have you found out about Joe Exotic since he’s been incarcerated randomly around the park?” In response, Defendant Lowe wrote “we found . . . a flash drive of Joe and Finley and they were having sexual relations with animals in the park.” A copy of Defendant Lowe’s post is attached hereto as Exhibit No. 4.
18. On April 18, 2020, “Nicky’s House”, a channel on YouTube, published a video of an interview that was conducted with Defendant Lowe. At approximately one hour and three minutes into the interview, Defendant Lowe was asked, “what’s the worst thing [Maldonado-Passage] did?” Defendant Lowe replied, “the worst thing Joe did was walk around here fucking farm animals. [Maldonado-Passage] and John Finley dressed up like . . . John Finley dressed up like cheerleaders and Joe would film him fucking all the animals.” A copy of a screenshot from this interview is attached hereto as Exhibit No. 5.

19. On or about April 10, 2020, Defendant Lowe conducted an interview with Alan Butterfield of Dailymail.com, which was published on Dailymail's website. During the interview, Defendant Lowe stated that Defendant Lowe gained access to Maldonado-Passage's email accounts that allegedly revealed Maldonado-Passage soliciting men for sex. In fact, Defendant Lowe reported to Dailymail.com that "we found lists of all of these accounts and passwords and I got into a couple of his email accounts" A copy of Defendant Lowe's statement is attached hereto as Exhibit No. 6.
20. Maldonado-Passage contends that Defendant Lowe was not authorized to access Maldonado-Passage's email accounts.² Copies of the screenshots provided by Defendant Lowe are attached hereto as Exhibit Nos. 7-9.
21. During the same interview with Dailymail.com, Defendant Lowe also stated that Defendant Lowe obtained several thumb drives containing sexually-explicit photographs and videos of Maldonado-Passage. A copy of Defendant Lowe's statement is attached hereto as Exhibit No. 10.
22. In September of 2018, it was discovered that Defendant Lowe had unlawfully entered Maldonado-Passage's private residence (located off park property)

² It should be noted here that unauthorized access of a computer, computer system, computer network, or any other property is a criminal offense, in violation of the Oklahoma Computer Crimes Act- 21 O.S. § 1953.

and obtained thumb drives and computer equipment without Maldonado-Passage's consent.³

23. After unlawfully gaining access to Maldonado-Passage's electronic devices, Defendant Lowe disseminated Maldonado-Passage's private information to various media outlets, which, in turn, published the information to the general public.⁴

Cause of Action No. 1: Defamation
(Defendant Lowe's Comment on Reddit.com)

24. All allegations in paragraphs one (1) through twenty-three (23) are incorporated herein.

³ It should be noted here that the breaking and entering of a dwelling house of another, where no human being was present, in which property is kept, with the intent to steal or commit a felony, is a criminal offense- in violation of 21 O.S. § 1435(A). Moreover, the taking, carrying away, of personal property of another, valued at \$1,000.00 or more, by fraud or stealth, with the intent to deprive permanently, is also a criminal offense- in violation of 21 O.S. § 1701 et seq.

⁴ It should be noted here that "revenge porn" is now a criminal offense in the State of Oklahoma. Specifically, the intentional dissemination of an image of another, who is at least eighteen years of age, who is identifiable from the image displayed, who is engaged in a sexual act or whose intimate parts are exposed; or dissemination of an image with the intent to harass; or obtaining the image under circumstances in which a reasonable person would know that the image was to remain private; or knows or a reasonable person should have known that the person would know or understand that the image was to remain private, is a criminal offense- in violation of 21 O.S. § 1040.13b.

25. In May of 2020, Defendant Lowe published the following statement on reddit.com- “we found . . . a flash drive of Joe and Finley and they were having sexual relations with animals in the park.”
26. Defendant Lowe’s statement exposed Intervenor to public hatred, contempt, ridicule, and/or disgrace.
27. Defendant Lowe communicated the statement to persons other than Intervenor.
28. The statement was false.
29. Defendant Lowe’s statement caused Intervenor to suffer damage to Intervenor’s reputation and emotional injury.
30. Defendant Lowe knew the statement to be false or had serious doubts whether the statement was true or false.
31. Defendant Lowe has acted intentionally and with malice towards Intervenor, thereby warranting the imposition of Category III Punitive Damages, pursuant to 23 O.S. § 9.1(D)(2).

Cause of Action No. 2: Defamation
(Defendant Lowe’s Statement on YouTube)

32. All allegations in paragraphs one (1) through thirty-one (31) are incorporated herein.
33. On April 18, 2020, an interview with Defendant Lowe was published by “Nicky’s House”, a channel on YouTube “Nicky’s House”. During the

interview, Defendant Lowe stated that Intervenor engaged in bestiality with animals around the park.

34. Defendant Lowe communicated the statement to persons other than Intervenor.
35. The statement was false.
36. Defendant Lowe knew the statement to be false or had serious doubts whether the statement was true or false.
37. Defendant Lowe's statement exposed Intervenor to public hatred, contempt, ridicule, and/or disgrace.
38. Defendant Lowe's statement caused Intervenor to suffer damage to Intervenor's reputation and emotional injury.
39. Defendant Lowe has acted intentionally and with malice towards Intervenor, thereby warranting the imposition of Category III Punitive Damages, pursuant to 23 O.S. § 9.1(D)(2).

Cause of Action No. 3: Invasion of Privacy (Intrusion Upon Seclusion)
(Defendant Lowe's Unauthorized Access of Intervenor's Email Account)

40. All allegations in paragraphs one (1) through thirty-nine (39) are incorporated herein.
41. On or about April 10, 2020, Defendant Lowe conducted an interview with Alan Butterfield of Dailymail.com, which was published on Dailymail's website.

42. During the interview, Defendant Lowe stated that Defendant Lowe gained access to Maldonado-Passage's email accounts that allegedly revealed Maldonado-Passage soliciting men for sex.
43. Screenshots provided by Defendant Lowe to Dailymail.com indeed reflect messages from Intervenor's email account joe.exotic99@gmail.com. Copies of the screenshots are attached hereto as Exhibit No. 7.
44. Defendant Lowe accessed Intervenor's email account without Intervenor's consent. As such, Defendant Lowe intentionally intruded upon the privacy, private affairs, and private concerns of Intervenor without Intervenor's consent.
45. Defendant Lowe's intrusion was highly offensive to a reasonable person.
46. Defendant Lowe's unauthorized access and dissemination of Intervenor's private messages constitute an unreasonable intrusion upon the seclusion of Intervenor, constitute unreasonable publicity given to Intervenor's private life, and constitute invasion of privacy.
47. As a result, Intervenor has suffered personal humiliation, mental anguish and suffering.
48. Defendant Lowe has acted intentionally and with malice towards Intervenor, thereby warranting the imposition of Category III Punitive Damages, pursuant to 23 O.S. § 9.1(D)(2).

Cause of Action No. 4: Invasion of Privacy (Publication of Private Facts)

(Defendant Lowe's Unauthorized Access of Intervenor's Email Account)

49. All allegations in paragraphs one (1) through forty-eight (48) are incorporated herein.
50. Defendant Lowe made public statements, disclosures, announcements, and declarations regarding Intervenor's emails which allegedly reveal solicitations made by Intervenor for purposes of engaging in sexual relations with other men.
51. Intervenor's private emails constitute private facts.
52. Defendant Lowe's statements and disclosures were highly offensive to a reasonable person.
53. The private emails disclosed by Defendant Lowe were not of legitimate concern to the public.
54. As a result, Intervenor has suffered personal humiliation, mental anguish and suffering.
55. Defendant Lowe has acted intentionally and with malice towards Intervenor, thereby warranting the imposition of Category III Punitive Damages, pursuant to 23 O.S. § 9.1(D)(2).

Cause of Action No. 5: Trespass

(Defendant Lowe's Entry into Intervenor's Private Residence)

56. All allegations in paragraphs one (1) through fifty-five (55) are incorporated herein.

57. In September of 2018, it was discovered that Defendant Lowe had unlawfully entered Maldonado-Passage's private residence (located off park property) and obtained thumb drives and computer equipment without Maldonado-Passage's consent.
58. Defendant Lowe did not have consent, either express or implied, to enter Intervenor's residence.
59. As a result of Defendant Lowe's unauthorized entry, Intervenor has suffered damages, of which Intervenor is entitled to recover as a matter of law.
60. Defendant Lowe has acted intentionally and with malice towards Intervenor, thereby warranting the imposition of Category II Punitive Damages, pursuant to 23 O.S. § 9.1(C)(1).

Cause of Action No. 6: Conversion
(Defendant Lowe's Acquisition of Intervenor's Thumb
Drive/Computer/Electronic Devices)

61. All allegations in paragraphs one (1) through sixty (60) are incorporated herein.
62. In September of 2018, it was discovered that Defendant Lowe had unlawfully acquired thumb drives, computer equipment, and electronic devices without Maldonado-Passage's consent.
63. After unlawfully gaining access to Maldonado-Passage's electronic devices, Defendant Lowe disseminated Maldonado-Passage's private information to

various media outlets that, in turn, published the private information to the public.

64. Intervenor was the owner of the thumb drive and computer equipment.
65. Defendant Lowe intentionally took possession of the thumb drive, computer equipment, and electronic devices.
66. Intervenor did not consent to Defendant Lowe's acquisition of the thumb drive, computer equipment, and electronics.
67. As a result of Defendant Lowe's conduct, Intervenor suffered harm.
68. Defendant Lowe acted intentionally and with malice towards Intervenor, thereby warranting the imposition of Category II Punitive Damages, pursuant to 23 O.S. § 9.1(C)(1).

Cause of Action No. 7: Unjust Enrichment
(Fraudulent "Intellectual Property Agreement")

69. All allegations in paragraphs one (1) through sixty-eight (68) are incorporated herein.
70. In July of 2020, Intervenor discovered a fraudulent Intellectual Property Agreement that reflects the alleged assignment of ownership and exclusive rights of Intervenor's likeness to the Greater Wynnewood Exotic Animal Park, L.L.C. for book deals, movie deals, billboard advertising, reality television opportunities, vehicle branding, and merchandising rights.

71. Intervenor's signature was forged to this "Intellectual Property Agreement" by either Defendant Lowe or at Defendant Lowe's direction.
72. Defendant Lowe has been unjustly enriched at the expense of Intervenor. Particularly, Defendant Lowe has financially benefited from this "Intellectual Property Agreement" by using Intervenor's likeness without Intervenor's consent.
73. As a result of Defendant Lowe's unjust enrichment, Intervenor has suffered financial loss.

Cause of Action No. 8: Breach of Contract
(Performance Contract)

74. All allegations in paragraphs one (1) through seventy-three (73) are incorporated herein.
75. On February 18, 2016, Intervenor and Defendant Lowe entered into a "Performance Contract".
76. Defendant Lowe breached many terms of the contract, including, but not limited to, failing to carry liability insurance on the park; removing animals, taking animals off park property, and showing animals to the public that were under Intervenor's license and without Intervenor's consent; failing to compensate Intervenor for services performed as an independent contractor; and using Intervenor's likeness for Defendant Lowe's personal benefit.

77. Intervenor suffered damages as a direct result of the breach.

CONCLUSION AND RELIEF REQUESTED

WHEREFORE, Intervenor respectfully requests judgment against Defendants in an amount in excess of seventy-five thousand dollars (\$75,000.00), in addition to attorneys' fees, costs expended in this action, and such other relief that this Court deems just and equitable.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Elliott C. Crawford', is written over a horizontal line.

ELLIOTT C. CRAWFORD, OBA #21496
Law Office of Elliott C. Crawford, P.C.
903 N.W. 13th Street
Oklahoma City, Oklahoma 73106
Telephone: (405) 519-3796
Facsimile: (405) 562-8553
Email: ecrawford@okdefense.com
Attorney for Intervenor

ATTORNEYS' LIEN CLAIMED

CERTIFICATE OF MAILING

I, Elliott C. Crawford, hereby certify that on the 29th day of July, 2020, a true and correct copy of the foregoing *Petition in Intervention* was mailed by depositing same in the U.S. Mail with first class prepaid postage affixed thereon to:

1. Alan Leizear
Stanton Yeakley
Miles Taylor
Oklahoma Tax Commission
440 S. Houston, Ste. 501B
Tulsa, Oklahoma 74127
Attorneys for Plaintiff
2. James M. Wirth
Justin W. Mosteller
Kenneth E. Adair
David D. English
500 West 7th Street
Tulsa, Oklahoma 74119
Attorneys for Defendants


ELLIOTT C. CRAWFORD

Joseph Maldonado

25893 N. county Rd 3250

Wynnewood, Ok 73098

Phone: (405)665-1003 Fax: (405)665-1050

Performance Contract

ARTIST: Joseph Maldonado (Herein referred to as ARTIST)

PHONE: (405) 207.1168

PURCHASER: Greater Wynnewood Exotic Animal Park LLC

Wynnewood Oklahoma

DATE: February 15th to December 31st 2016

VENUE: Animal Park Entertainer and USDA Licensee

COMPENSATION: The GWEAPLLC will pay the electric and water to the main house which Joseph Maldonado lives in, in exchange to perform certain duties.

- 1- Allow GWEAPLLC to collect money from Joseph Maldonados animals being on exhibit under license 73.c.0139 as long as the GWEAPLLC carries (1 Million Dollars in Liability Insurance)
- 2- The GWEAPLLC must continue buying meat, providing food and vitamins, vet care and the staff to maintain the standards of the United States Animal Welfare Act, under the USDA APHIS division.
- 3- GWEAPLLC will allow Joseph Maldonado one weekend (3 days) In March to charge people to attend his political speech, tour and show of the animals which are under his license as a campaign donation from the GWEAPLLC to support the industry and the cause of stopping laws. The GWEAPLLC will allow Joseph Maldonado the ability to campaign from this location for his Presidential office he is seeking. Including but not limited to charging attendees to attend any



speeches, rallies or events Joseph Maldonado holds at the same locations while his license is being used for the GWEAPLLC.

- 4- The GWEAPLLC must allow Joseph Maldonado to make the decision whether a volunteer and or employee of the GWEAPLLC is trained enough to work around the animals on exhibit under federal licenses held by Joseph Maldonado.
- 5- The GWEAPLLC and/or its agents must apply for its own USDA APHIS license within one year of this contract to put the exhibiting animals under its own license.
- 6- No animals under Joseph Maldonado's license is to be removed, taken off property or showed to the public without prior consent of the license holder.
- 7- Effective April 30th, 2016 a contract of \$1200.00 will be payable to Joseph Maldonado for his services as an Independent contractor.
- 8- The GWEAPLLC will allow Joseph Maldonado the ability to campaign from this location for his Presidential office he is seeking. Including but not limited to charging attendees to attend any speeches, rallies or events Joseph Maldonado holds at the same locations while his license is being used for the GWEAPLLC.
- 9- Allow Joseph Maldonado to film on location for his tv show using an independent freelance producer (White Monkey Productions).

CHECK PAYABLE: Joseph Maldonado
25893 N. county Rd 3250 Wynnewood, OK 73098

PRODUCTION: Joseph Schreibvogel
25893 N. County Rd 3250
Wynnewood, OK 73098

LOAD IN: February 15th 2016

LOAD OUT: December 31st 2016

PERFORMANCE: Artist will have animals on exhibit throughout above determined dates during park operation public hours. Patrons will be allowed to have their photo taken with or engage in playtime with approved baby animals, according to the USDA Law, in exchange for a fee to the EXHIBITOR (GWEAPLLC).

Also allows EXHIBITOR to sell Photo CD's to help cover any cost incurred by Maldonado. DETAILS: **SPECIFIC DETAILS WILL BE DETERMINED THROUGH MUTUAL AGREEMENT BETWEEN JOE SCHREIBVOGEL GWEAPLLC MANAGEMENT**

The above mentioned terms outline the contractual agreement between the PURCHASER and the ARTIST, In Addition, the ARTIST agrees to the following terms of this contract.

CONDITIONS OF PERFORMANCE:

- A. The person herein above as ARTIST shall at all times exercise complete supervision, direction and control over the services of all personnel on this engagement and expressly reserves the

right to control the manner, means, and details of the performance of services to fulfill the entertainment requirement. ARTIST shall be responsible for all equipment and shall not hold PURCHASER responsible for any damages.

- B. ARTIST is not an employee of PURCHASER, and executes this contract as an independent contractor.
- C. The PURCHASER must keep the date booked or payment is due in full.
- D. The GWEAPLLC and Joseph Maldonado reserves the right as policy that nobody working or contracted with is allowed to drink alcoholic beverages of any type and ANY type while under contract of aforesaid and in public.
- E. The Artist agrees to allow the employer to use his face, likeness and brands to promote the GWEAPLLC to continue to feed and provide vet care for his animals.

DUTIES OF THE EXHIBITOR:

- Maintain an animal display during park hours for said dates.
- Perform 2 tiger shows and two tours per day
- Obtain and maintain all properties of the OWNER used by Joseph Maldonado upon leaving premises.
- Transport animals in and out of the premises of the OWNER in proper carrying containers.
- Provide the necessary security at all times.
- Provide all equipment, lights, sound, etc.
- Meet all the standards required by the United States Department of Agriculture (USDA)
- EXHIBITOR will acquire and secure all of the necessary permits required by the state or city.
- Provide necessary marketing materials.

DUTIES OF THE OWNER: The OWNER agrees to the following:

- Provide HIGH TRAFFIC AREA on the premises for the animal exhibit.
- Allow the EXHIBITOR to raise money to offset operating for the animals, travel expenses, promotional, and advertising costs by allowing members of the public to have their picture taken with and or interaction playtime with approved animals. (ACCORDING TO THE USDA LAW). In exchange for a donation to the EXHIBITOR.
- ALLOWS the EXHIBITOR to collect donations to offset his expense to perform said contract.

This is a binding contract according to the laws of the State of Oklahoma, This contract is not altered by any oral agreement or oral representation of the ARTIST or PURCHASER.

WE ACKNOWLEDGE AND CONFIRM THAT WE HAVE READ AND APPROVE THE TERMS AND CONDITIONS SET FORTH WITHIN.

Please sign this contract and return via PDF or U.S. Mail to ATTN: Joseph Maldonado, 25893 NCR 3250, Wynnewood, OK 73098,

Jeff Lowe
PURCHASER REPRESENTATIVE

JEFF LOWE
PRINTED NAME

OWNER
TITLE

2-18-2016
DATE

[Signature]
ARTIST REPRESENTATIVE

Jose Maldonado
PRINTED NAME

TITLE

2-18-16
DATE

Intellectual Property Agreement between
Joseph Maldonado and Greater Wynnewood Exotic Animal Park LLC

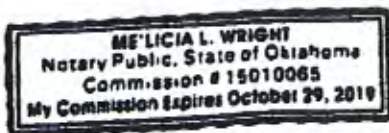
I, Joseph Maldonado assign ownership and exclusive rights of my likeness, to the Greater Wynnewood Exotic Animal Park LLC. This assignment includes using the names "Joe Exotic" and "The Tiger King" as well as my image(s) and video(s) music, for book deals, movie deals, billboard advertising, reality television opportunities, vehicle branding. It includes merchandising rights to the "Tiger King" for marketing merchandise, not exclusive to, but such as, Tiger King clothing, Tiger King Skin Care products, Tiger King Underwear, snack products, bottled water.

In exchange, The Greater Wynnewood Exotic Animal Park agrees to provide care for my animals until their natural death(s). GWEAP LLC, also grants me authority to live in the private residence on the zoo property at no charge.

These assignments are irrevocable unless agreed upon by both parties in writing.


Joseph Maldonado

Notary



Melicia L. Wright
September 19, 2016
Monday



Affidavit of Timothy Sepi

1. My name is Timothy Sepi, I am 33 years of age. I'm employed as General Labor Worker and currently residing in Glasgow, Virginia.

2. In February 2016 I, Timothy Sepi applied for a Trademark Registration named "TIGER KING."

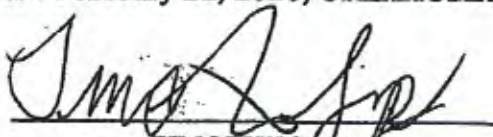
3. On February 22nd 2016 a Certificate of Trademark for "TIGER KING" was granted to me by the Secretary of State in Oklahoma.

4. I, Timothy Sepi did NOT give permission or consent towards release in any form to publicize "TIGER KING" for popularity and/or monetary gain, entertainment or otherwise.

5. I, Timothy Sepi have NOT engaged in any agreements for the transfer of Ownership for the Trademark "TIGER KING" EVER! This statement includes verbal and/or written contracts or consent to release agreements for any entity to use.

6. I, Timothy Sepi would NEVER transfer the ownership of this Trademark to any individual or company. If there are ANY recent transactions regarding transfer of Ownership for the "TIGER KING" Trademark, it is a fraudulent transfer.

7. This Affidavit is made for the purpose of being listed as a fraudulent transfer of Ownership for registered Trademark "TIGER KING" Registration NO. 12548918 Expires : February 22, 2026, OKLAHOMA.


TIMOTHY SEPI

Signed and affirmed under penalty of
perjury before me on this 15th day
of June 20 20.

STATE OF VIRGINIA, AT LARGE
CITY OF LEXINGTON, TO-WIT:

I, Marlana W. Coleman, a Notary Public for the jurisdiction aforesaid, do certify that on this day, Timothy Sepi personally appeared before me and signed the foregoing document.



Marlana W. Coleman, Notary

EXHIBIT

3
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index of computer crime laws... https://www.oas.samhhs.gov... oklahoma computer crimes act... reddit.com

reddit

20.9k Hi Reddit! My name is Jeff Lowe, I'm the CEO and Founder of Greater Wyn... Actor / Entertainer

Snowboofrak 823 points · 3 months ago

Hey Jeff! I was wondering what (if any) weird S*IT have you found out about Joe Exotic since he's been incarcerated randomly around the park?

1. AM_Jeff_Lowe 1.2K points · 3 months ago · edited 3 months ago

I think the weirdest thing we found is that it found was a flash drive of Joe and Finley and they were having sexual relations with animals in the park. That would probably be the weirdest thing about Joe. Thanks for the disturbing question.

Continue this thread →

huammygame 5 points · 3 months ago

"Thanks for that disturbing question!"

with 4 points · 3 months ago

He's been incarcerated randomly around the park?

PM_you_Cheerles 5 points · 3 months ago

You can say shit on the internet.

Penance21 1 point · 3 months ago

I doubt Joe wore many suits. But sure any would be weird.

crystalmerchant 1 point · 3 months ago

You're allowed to say SHIT on the internet

Dalai-Parma 700 points · 3 months ago

How's the nanny hunt going?

1. AM_Jeff_Lowe 689 points · 3 months ago · edited 3 months ago

We actually have two NANNIES NOW. They alternate days. We've had at least 2-3k stalkers that found my cell phone number. I've been inundated with nanny requests.

Continue this thread →

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Wed 10:39 AM 46% 254 of 279

Tiger King Jeff Lowe - #1 Exclusive In Person Interview

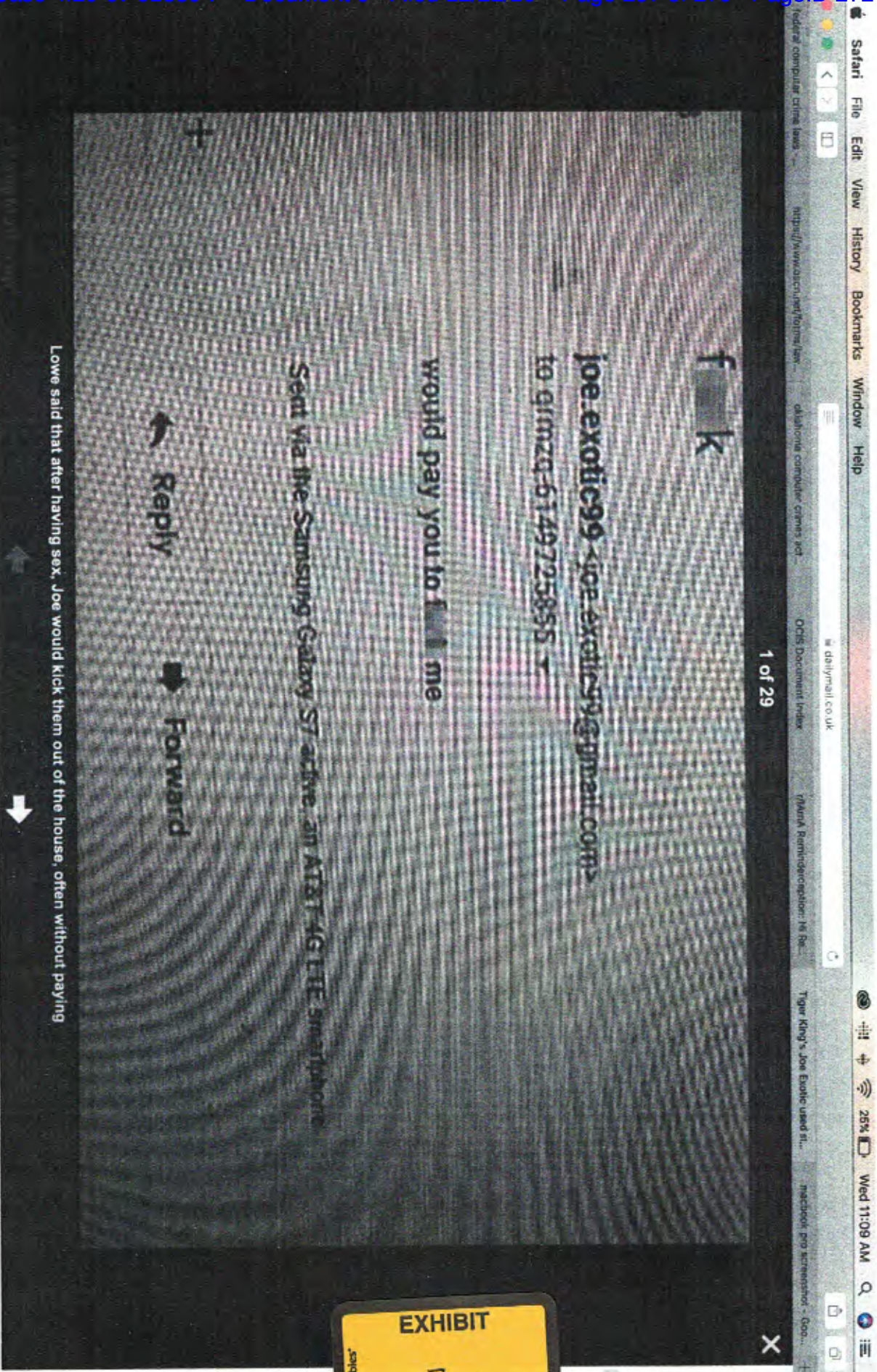


1:03:00 / 1:05:40

EXHIBIT
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12-20-72

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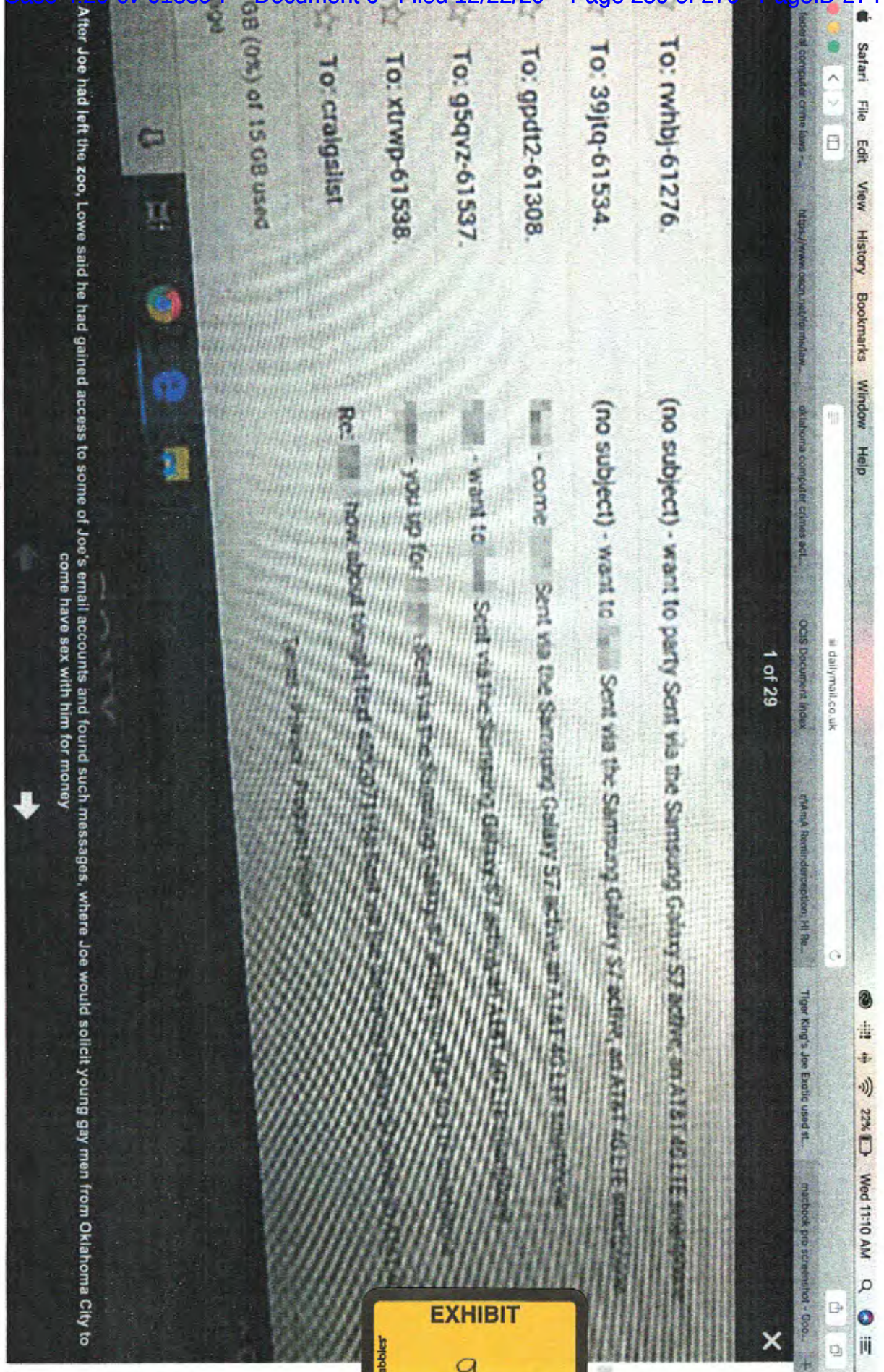
Lowe said that after having sex, Joe would kick them out of the house, often without paying

EXHIBIT

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Images obtained by DailyMail.com show that Joe would meet young men from Craigslist ads, promise them money to come down and have sex with him



EXHIBIT

9

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Address bar: https://www.fox.com/mall/mall...
 Tab: oklahoma computer crime's art...
 Tab: ocds Document index...
 Tab: rlyana hendersoncaption: Hi Ra...
 Tab: Tiger King's Joe Exotic used st...
 Tab: malbook pro screenshot - Goo...

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Lowe also claims Joe liked to film his partners having sex with other men, at times participating himself. Pictured: Joe with his husbands Travis (left) and John Finlay (right)

Lowe recalls Joe telling a zoo worker that if he ever dies, not to let his mother into the attic, so as soon as he got a chance, he decided to go see 'what this f**ker is hiding in the attic.'

He continued: 'As soon as I pulled the stairs down... it was like packages, packages and packages of these whips and chains and bondage devices.'

Lowe said he also found several thumb drives containing pictures and videos of Joe and his then-husband John Finlay dressed up in trashy lingerie, hanging from sex swings.

He also found videos and pictures of Finlay engaging in a sex act with another man while Joe filmed it.

Lowe said: 'We also found pictures of stuffed animals where the mouths and ends of the animals had holes cut out in them where they would use them as their own sex toy.'

DailyMail.com obtained images of such stuffed animals and photos of lingerie Joe allegedly wore.

Lowe also said he heard about allegations of bestiality with Joe and Finlay.

He claims an employee found a thumb drive that showed Joe and John, with John dressed like a cheerleader, walking around the zoo having sex with farm animals.'

EXCLUSIVE Never-before-seen photos of a young Angelina Jolie give an intimate look at the 'rebellious' and 'anti-Beverly Hills' teen

2 matches

1905 Collection Tailored Fit Suit	\$249	1905 Collection Tailored Fit Suit	\$279
1905 Collection Tailored Fit Suit	\$249	1905 Collection Tailored Fit Suit	\$698

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3 Jennifer Lopez and Alex Rodriguez looking to make over \$1million profit as they list Malibu beach house once owned by Jeremy Piven for \$5million

4 Jennifer Aniston reacts to her first Emmy nomination in 11 years for her work on The Morning Show: 'What a morning waking up to this news!'

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EXHIBIT
10
28001279-72

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

JOSEPH MALDONADO-PASSAGE,)
)
Plaintiff,)
)
v.) Case No. CIV-20-248-SLP
)
U.S. FEDERAL WILDLIFE SERVICE, et al.,)
)
Defendants.)

**PLAINTIFF JOSEPH MALDONADO-PASSAGE’S NOTICE OF
VOLUNTARY DISMISSAL WITHOUT PREJUDICE PURSUANT TO
RULE 41(A)(1) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

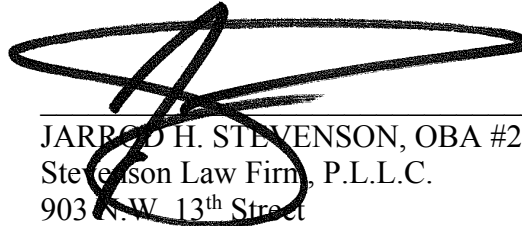
COMES NOW the Plaintiff, Joseph Maldonado-Passage, by and through his attorney, Jarrod H. Stevenson, and, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby voluntarily dismisses all claims asserted in this action,¹ ***without prejudice*** to Plaintiff’s right to assert any or all of the claims in a future action.

In accordance with Fed. R. Civ. P. 41(a), dismissal is effective automatically upon filing of this notice, without the necessity of any further action of the Plaintiff or the Court. *See, e.g., Janssen v. Harris*, 321 F.3d 998, 1000 (10th Cir. 2003) (stating that “[o]nce the notice of dismissal has been filed, the district court loses jurisdiction over the dismissed claims and may not address the merits of such claims or issue further orders pertaining to them”). Nevertheless, in the interest of clarity, Plaintiff is contemporaneously filing a

¹ As Magistrate Judge Mitchell correctly ascertained, the claims asserted in this action do *not* include any claim under 28 U.S.C. § 2255, and this action does not implicate Plaintiff’s right to make such a motion after his appeal is completed.

response to Magistrate Judge Mitchell's *Report and Recommendation* [Dkt. 7], which addresses the impact (or lack thereof) of the *Report and Recommendation*, the Prison Litigation Reform Act, and the Anti-Terrorism and Effective Death Penalty Act on Plaintiff's ability to assert any claims in the future.

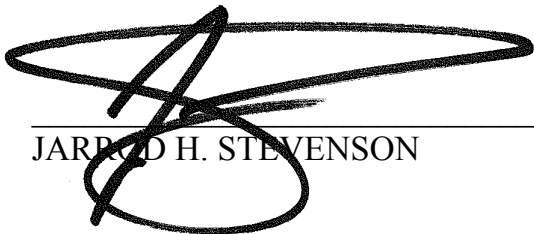
Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Jarrod H. Stevenson', is written over a horizontal line.

JARROD H. STEVENSON, OBA #20346
Stevenson Law Firm, P.L.L.C.
903 N.W. 13th Street
Oklahoma City, Oklahoma 73106
Telephone: (405) 236-5100
Facsimile: (405) 234-5528
Email: jarrod@jhstevensonlaw.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

No defendants have appeared, and process has not yet been issued in this action. As such, the undersigned does not believe service is required. Nevertheless, the undersigned will send a courtesy copy by mail to the United States Attorney for the Western District of Oklahoma.



JARROD H. STEVENSON

EXHIBIT B

Subject: RE: Joseph Maldonado-Passage, Register No. 26154-017, Petition for Pardon
Date: Thursday, September 10, 2020 at 3:04:35 PM Central Daylight Time
From: uspardon.attorney@usdoj.gov
To: francisco@texasmexicolaw.com
Attachments: Commutation (reduction) of Sentence - Information and Instructions.pdf, Commutation (reduction) of Sentence - Petition.pdf

September 10, 2020

Francisco Hernandez
800 West Weatherford Street
Fort Worth, TX 76102-1946

Dear Mr. Hernandez:

We received your correspondence of September 8, 2020, transmitting a Pardon After Completion of Sentence petition on behalf of your client, Mr. Joseph Maldonado-Passage. Under the Department of Justice (Department) regulations governing executive clemency, available on our website at <http://www.justice.gov/pardon/clemency.htm>, a waiting period of at least five years after release from confinement, and any period of home confinement (or conviction, if no confinement was served), is required before an individual becomes eligible to apply for a pardon through the Department. At the conclusion of the five-year waiting period, you are free to apply with this office. Based on publicly available information as well as the records you provided as supporting documentation, your client is currently serving a federal sentence under the custody of the Bureau of Prisons.

While Mr. Maldonado-Passage may not apply for a pardon through the Department at this time, he is eligible to apply for commutation (reduction) of sentence if he is not presently challenging his conviction or sentence through appeal or other judicial proceedings. Please see the attached forms necessary for applying for commutation. Although commutation of sentence is an extraordinary remedy that is rarely granted, all petitions are carefully considered by the Department of Justice and the President.

I hope this information is helpful to you.

Sincerely,

Office of the Pardon Attorney

PR7305098

----- Original Email -----

From: Francisco Hernandez [francisco@texasmexicolaw.com]

Sent: Tuesday, September 8, 2020 5:45:51 PM

To: USPardon Attorney

Subject: Joseph Maldonado-Passage, Register No. 26154-017, Petition for Pardon

To the Honorable Rosalind Sargent-Burns, Pardon Attorney, Thank you, in advance, for the attention you may devote

to the filing of the attached Petition for Pardon on behalf of Mr. Joseph Maldonado-Passage. Please accept this petition for filing and processing. We realize the current environment may cause a delay in processing. Cordially,
Francisco Hernandez
Co-Counsel for Joseph Maldonado-Passage
State Bar No. 09515950800
West Weatherford Street
Fort Worth, Texas 76102
817.335.2331
www.texasmexicolaw.com

Subject: 5-Year Waiver Denial
Date: Tuesday, September 22, 2020 at 5:14:14 PM Central Daylight Time
From: uspardon.attorney@usdoj.gov
To: francisco@texasmexicolaw.com
CC: Brandon@brandonsample.com
Attachments: Commutation Information and Instructions.pdf, Commutation Petition.pdf

September 22, 2020

Francisco Hernandez Esq.
800 West Weatherford Street
Fort Worth, TX 76102-1946

Dear Mr. Hernandez:

Upon careful review of the information you submitted, we have concluded that it would not be appropriate to grant a waiver of the waiting period in your client's case to permit him to apply for a pardon at this time. While we are sympathetic to his desire for clemency, we do not believe that his circumstances in this regard are so unusual as to justify a waiver of the waiting period. Waivers are infrequently granted and then only for particularly compelling reasons. It may ultimately be to your client's benefit to wait the full five years to demonstrate that he has become fully rehabilitated and is a contributing member of society post-sentencing.

The decision not to grant a waiver in Mr. Maldonado-Passage's case does not reflect adversely on his eligibility to apply through the Department of Justice (Department) in the future. The five-year waiting period to apply for a pardon will expire 5-years from the date that he is released from Federal prison. Our denial of your waiver request is final, but you are correct that the President has plenary power to grant clemency with or without the guidance and assistance of Department personnel.

As we indicated in previous correspondence, your client may already be eligible to apply for a commutation (reduction) of sentence, so you are welcome to petition the President for that form of relief immediately. For more information about the different forms of executive clemency, please see our frequently asked questions page at <https://www.justice.gov/pardon/frequently-asked-questions>. However, as a courtesy, I am attaching a commutation petition, instructions and an information sheet to this correspondence.

Sincerely,

William Taylor II
Executive Officer

----- Original Email -----
From: Francisco Hernandez [francisco@texasmexicolaw.com]
Sent: Thursday, September 17, 2020 9:59:35 AM
To: USPardon Attorney

Subject:Re: Joseph Maldonado-Passage, Register No. 26154-017, Waiver Request Supplement
Please accept and acknowledge the attached Waiver Request Supplement to the Petition for Pardon already on file.
Although the Petition for Pardon already requests a waiver of the Advisory Regulations, we are submitting the
attached Supplement.Cordially,Francisco HernandezCounsel for Joseph Maldonado-
Passagewww.texas-mexico-law.comFrom:<uspardon.attorney@usdoj.gov>
Date:Thursday, September 10, 2020 at
3:04 PM

To:<francisco@texas-mexico-law.com>

Subject:RE: Joseph Maldonado-Passage, Register No. 26154-017, Petition for PardonSeptember 10, 2020Francisco
Hernandez800 West Weatherford Street

Fort Worth, TX 76102-1946Dear Mr. Hernandez:We received your correspondence of September 8, 2020,
transmitting a Pardon After Completion of Sentence petition on behalf of your client, Mr. Joseph Maldonado-Passage.
Under the Department of Justice (Department) regulations governing executive clemency, available on our website
at<http://www.justice.gov/pardon/clemency.htm>, a waiting period of at least five years after release from
confinement, and any period of home confinement (or conviction, if no confinement was served), is required before
an individual becomes eligible to apply for a pardon through the Department. At the conclusion of the five-year
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you provided as supporting documentation, your client is currently serving a federal sentence under the custody of
the Bureau of Prisons.While Mr. Maldonado-Passage may not apply for a pardon through the Department at this
time, he is eligible to apply for commutation (reduction) of sentence if he is not presently challenging his conviction
or sentence through appeal or other judicial proceedings. Please see the attached forms necessary for applying for
commutation. Although commutation of sentence is an extraordinary remedy that is rarely granted, all petitions are
carefully considered by the Department of Justice and the President.I hope this information is helpful to
you.Sincerely,Office of the Pardon AttorneyPR7305098

----- Original Email -----

From:Francisco Hernandez [francisco@texas-mexico-law.com]

Sent:Tuesday, September 8, 2020 5:45:51 PM

To:USPardon Attorney

Subject:Joseph Maldonado-Passage, Register No. 26154-017, Petition for Pardon

To the Honorable Rosalind Sargent-Burns, Pardon Attorney,Thank you, in advance, for the attention you may devote
to the filing of the attached Petition for Pardon on behalf of Mr. Joseph Maldonado-Passage.Please accept this
petition for filing and processing.We realize the current environment may cause a delay in
processing.Cordially,Francisco HernandezCo-Counsel for Joseph Maldonado-PassageState Bar No. 09515950800 West
Weatherford StreetFort Worth, Texas 76102817.335.2331www.texas-mexico-law.com

EXHIBIT C

Subject: FW: Joseph Maldonado-Passage PR 7305098
Date: Tuesday, September 29, 2020 at 3:52:11 PM Central Daylight Time
From: Francisco Hernandez
To: Eric Love, anne patrick, Jeff Hoover, Phillip E. Hall
CC: Brandon Sample
Priority: High
Attachments: Part I, Executive Clemency Petition to Issue Report.pdf, Pardon Attorney Electronic Responses.pdf

I sent this today

From: Francisco Hernandez <francisco@texasmexicolaw.com>
Date: Tuesday, September 29, 2020 at 3:51 PM
To: USPardon Attorney <uspardon.attorney@usdoj.gov>
Subject: Joseph Maldonado-Passage PR 7305098

**UNITED STATES DEPARTMENT OF JUSTICE
OFFICE OF THE PARDON ATTORNEY**

In the Matter of:

§
§
§
§
§
§
§

PR NO. 7305098

Joseph Maldonado-Passage

Petition to Issue Report to The President

To the Honorable William Taylor, II, Executive Officer, Office of the Pardon Attorney:

Your September 10, and 22, 2020, electronic communications are acknowledged and attached to this Petition.

Your kind words about your sympathy and understanding of Joe's circumstances are appreciated. As is your suggestion and possible recommendation that Joe also file a Petition for Commutation (reduction) of sentence. In fact, as this Petition is prepared, the final touches are being completed for such a Petition for Commutation, without waiving and subject to the Pardon Petition already on file.

Joe is obviously disappointed in your determination that the 5-year waiver request be denied in such summary fashion. Nevertheless, pursuant to Part I, Executive Clemency, Section 1.6 (5)(c) provides:

“The Attorney General shall review each petition and all pertinent information developed by the investigation and shall determine whether the request for clemency is of sufficient merit to warrant favorable action by the President. **The Attorney General shall report in writing his or her recommendation to the President, stating whether in his or her Judgment, the President should grant or deny the petition.**”

Formal request is hereby made that the Attorney General comply with this mandate and issue his written report and forward Joe’s Pardon Petition, together with his statement whether or not the President should grant or deny the petition.

The obvious urgency dictated by the impending election next month makes every day of the essence. Joe is disappointed that the Pardon Attorney so quickly, and apparently without much (if any) investigation, first rejected the filing of the Pardon Petition and summarily denied the Waiver Request.

The Attorney General’s failure or refusal to make his report and forward the Pardon Application to the President for his consideration, is in effect, a deprivation of the President’s Constitutional right to grant or deny a Pardon.

Respectfully Submitted,

Francisco Hernandez, Counsel for
Joseph Maldonado-Passage
State Bar Number: 09515950
800 West Weatherford Street
Fort Worth, Texas 76102
817.335.2331
<http://www.texasmexicolaw.com/>

EXHIBIT D

Subject: 5-Year Waiver Denial
Date: Tuesday, September 22, 2020 at 5:14:14 PM Central Daylight Time
From: uspardon.attorney@usdoj.gov
To: francisco@texasmexicolaw.com
CC: Brandon@brandonsample.com
Attachments: Commutation Information and Instructions.pdf, Commutation Petition.pdf

September 22, 2020

Francisco Hernandez Esq.
800 West Weatherford Street
Fort Worth, TX 76102-1946

Dear Mr. Hernandez:

Upon careful review of the information you submitted, we have concluded that it would not be appropriate to grant a waiver of the waiting period in your client's case to permit him to apply for a pardon at this time. While we are sympathetic to his desire for clemency, we do not believe that his circumstances in this regard are so unusual as to justify a waiver of the waiting period. Waivers are infrequently granted and then only for particularly compelling reasons. It may ultimately be to your client's benefit to wait the full five years to demonstrate that he has become fully rehabilitated and is a contributing member of society post-sentencing.

The decision not to grant a waiver in Mr. Maldonado-Passage's case does not reflect adversely on his eligibility to apply through the Department of Justice (Department) in the future. The five-year waiting period to apply for a pardon will expire 5-years from the date that he is released from Federal prison. Our denial of your waiver request is final, but you are correct that the President has plenary power to grant clemency with or without the guidance and assistance of Department personnel.

As we indicated in previous correspondence, your client may already be eligible to apply for a commutation (reduction) of sentence, so you are welcome to petition the President for that form of relief immediately. For more information about the different forms of executive clemency, please see our frequently asked questions page at <https://www.justice.gov/pardon/frequently-asked-questions>. However, as a courtesy, I am attaching a commutation petition, instructions and an information sheet to this correspondence.

Sincerely,

William Taylor II
Executive Officer

----- Original Email -----
From: Francisco Hernandez [francisco@texasmexicolaw.com]
Sent: Thursday, September 17, 2020 9:59:35 AM
To: USPardon Attorney

Subject:Re: Joseph Maldonado-Passage, Register No. 26154-017, Waiver Request Supplement

Please accept and acknowledge the attached Waiver Request Supplement to the Petition for Pardon already on file. Although the Petition for Pardon already requests a waiver of the Advisory Regulations, we are submitting the attached Supplement.Cordially,Francisco HernandezCounsel for Joseph Maldonado-Passagewww.texasmxicolaw.comFrom:<uspardon.attorney@usdoj.gov>< br>Date:Thursday, September 10, 2020 at 3:04 PM

To:<francisco@texasmxicolaw.com>

Subject:RE: Joseph Maldonado-Passage, Register No. 26154-017, Petition for PardonSeptember 10, 2020Francisco Hernandez800 West Weatherford Street

Fort Worth, TX 76102-1946Dear Mr. Hernandez:We received your correspondence of September 8, 2020, transmitting a Pardon After Completion of Sentence petition on behalf of your client, Mr. Joseph Maldonado-Passage. Under the Department of Justice (Department) regulations governing executive clemency, available on our website at<http://www.justice.gov/pardon/clemency.htm>, a waiting period of at least five years after release from confinement, and any period of home confinement (or conviction, if no confinement was served), is required before an individual becomes eligible to apply for a pardon through the Department. At the conclusion of the five-year waiting period, you are free to apply with this office. Based on publicly available information as well as the records you provided as supporting documentation, your client is currently serving a federal sentence under the custody of the Bureau of Prisons.While Mr. Maldonado-Passage may not apply for a pardon through the Department at this time, he is eligible to apply for commutation (reduction) of sentence if he is not presently challenging his conviction or sentence through appeal or other judicial proceedings. Please see the attached forms necessary for applying for commutation. Although commutation of sentence is an extraordinary remedy that is rarely granted, all petitions are carefully considered by the Department of Justice and the President.I hope this information is helpful to you.Sincerely,Office of the Pardon AttorneyPR7305098

----- Original Email -----

From:Francisco Hernandez [francisco@texasmxicolaw.com]

Sent:Tuesday, September 8, 2020 5:45:51 PM

To:USPardon Attorney

Subject:Joseph Maldonado-Passage, Register No. 26154-017, Petition for Pardon

To the Honorable Rosalind Sargent-Burns, Pardon Attorney,Thank you, in advance, for the attention you may devote to the filing of the attached Petition for Pardon on behalf of Mr. Joseph Maldonado-Passage.Please accept this petition for filing and processing.We realize the current environment may cause a delay in processing.Cordially,Francisco HernandezCo-Counsel for Joseph Maldonado-PassageState Bar No. 09515950800 West Weatherford StreetFort Worth, Texas 76102817.335.2331www.texasmxicolaw.com

EXHIBIT E

 An official website of the United States government [Here's how you know](#)

SEARCH CLEMENCY CASE STATUS FOR CASES OPENED SINCE 1989

Find by Clemency Case File Number	Find by BOP Register Number	Find by Name
---	---	------------------------------

First Name	Last Name (required)	SEARCH
<input type="text" value="Maldonado-Passage"/>	<input type="text" value="Joseph"/>	

We could not find a match. Please try a different search, or contact us for more information.

Clemency status lookup feature is current as of December 3, 2020 at 2:18 AM

[Download an Excel spreadsheet of the data that fed this update here](#)

REQUIRED FIELDS

- If you are searching using the **Find By Name feature**: you must include the correct spelling of the petitioner's last name. As of December 2019, you may see multiple case numbers with varying status information for the same petitioner if that petitioner has applied for clemency more than once. You will also see a final action date listed if the case has been completed and no longer in "Pending" status.
- If you are searching using the **Find By BOP Register feature**: you must use the correct formatting prescribed by the Bureau of Prisons: 5 digits + hyphen(-) + 3 digits (e.g. 12345-678). You may see multiple case numbers with varying status information for the same petitioner if that petitioner has applied for clemency more than once. We may or may not have a BOP Register number listed on pardon cases, but they will typically be identified on commutation cases.
- If you are searching using the **Find By Clemency Casefile feature**: you must include the correct clemency casefile number and prefix (e.g., C165743 or P321567) and ensure that you do not include an unnecessary space behind the last number of the case file. Including an additional space will produce false results. This lookup method will only show the status of the casefile you have specified. If you are interested in seeing the status of other cases submitted by the same petitioner, you must use one of the Search by Name feature.

HELPFUL HINTS

- ***The above feature does not include the names of individuals who were granted clemency by the President, but who had not sought relief through the Department's codified process at the time of the grant of pardon or commutation.***
- **Commutation** clemency casefile numbers begin with a "C" and **Pardon** clemency casefile numbers begin with a "P". If an individual is only requesting remission of fine or restitution, those cases will be preceded by a "C" because that would still equate to a reduction of some sort as opposed to a pardon.
- The Office of the Pardon Attorney (PARDON) updates the information in the Lookup at least once per month,

but may update the information more if there is a business need for doing so. Therefore, if you submitted a petition to PARDON within the past 8 weeks and have not received any correspondence from us or did not get a conclusive search result in the Lookup feature, please wait and check back again after the first week of the following month. It can take a couple of weeks, if not a few months, for new clemency cases to be accepted for review and added to our system as “pending” depending on our workload volume. If you have no luck after 3 months, please feel free to use the [ASKPARDON](#) form to inquire further, but keep in mind we **will not** respond to message requesting information readily available on our website and also will not respond if your request for confirmation of receipt is premature (i.e. the petition in question was submitted to PARDON within the past 8 weeks).

- Our website at <https://www.justice.gov/pardon> has a wealth of information about various topics including, but not limited to, downloadable pardon and commutation petitions and instructions, rules governing petitions, standards for consideration, clemency statistics, a list of the denials and grants by the current and recent Presidential administrations, and responses to various frequently asked questions.
- The President always retains the plenary power granted to him by the Constitution to pardon or commute sentences at his sole discretion, ***with or without the advice of the Pardon Attorney and Department of Justice***. If the President grants or denies clemency without the advice of the Pardon Attorney, the results of those decisions may appear on our [Presidential Clemency statistics](#) page and we will proactively disclose the signed presidential warrant for review and download, but the case will not count toward cases PARDON processed or transmitted a recommendation.
- Consistent with long-standing PARDON and DOJ practice, the Lookup Feature does not reveal at what stage within the clemency process any given case may be. PARDON is also unable to predict when the President will grant or deny a clemency request. However, each petitioner, either directly or through counsel of record, will be notified promptly when final action has been taken on their case. If a decision is not made by the current President, the petition remains pending for the next President to consider; a petitioner need not submit a new petition.
- There are various status dispositions for a clemency case submitted since 1989 and they are as follows:
 - **Pending** - this means a clemency casefile has been created and the case is in one of various stages of review, but we will not disclose what stage of review a pending case is currently in
 - **Granted by the President** – see <https://www.justice.gov/pardon/clemencyrecipients>
 - **Denied by the President** – see <https://www.justice.gov/pardon/clemency-denials>
 - **Administratively closed without Presidential Action** - PARDON will not provide a reason for administratively closing a case to a third party. You may only receive the reason behind administratively closing a case if you are the clemency petitioner or the petitioner's attorney of record, but we will have provided that information to the petitioner (through BOP or counsel) in writing prior to closing the case. Cases are administratively closed because (1) an applicant withdraws their application from consideration, (2) an applicant repeatedly fails to respond to a request by the Pardon Attorney for required information, (3) an applicant dies before a decision is made on their request, (4) we learn that the applicant is no longer a resident of the United States during the course of our review, (5) an applicant is released from Federal prison during the processing of a commutation petition that seeks only the reduction of his/her prison sentence, or (6) we learn that the applicant has not yet exhausted all legal remedies or has pending litigation.

RATIONALE AND BENEFITS FOR THE LOOKUP FEATURE

On Monday, March 5, 2018, PARDON proactively began sharing the above Lookup Feature because we receive many requests from various sources inquiring about the status of petitions. Depending on the number of requests received, our workload, and the availability of PARDON staff, it has at times taken weeks or months to provide a written response. During the Clemency Initiative of 2014, which lasted from early 2014 through early

2017, some requesters did not receive a response for many months or years due to resource constraints. With this Lookup Feature, members of the public who wish to confirm whether an executive clemency case is currently in “pending” status, either for themselves or a third party, may find this information at <https://www.justice.gov/pardon>. As of December 2019, you also may see multiple case numbers with varying status information for the same petitioner if that petitioner has applied for clemency more than once within our proactive disclosure window. The lookup feature has been updated to include case status information for all cases since 1989. Thus, the public may check the status of a clemency request without the trouble and delay of sending an email or written letter and awaiting a response from PARDON staff. Going forward, inmates in the custody of the Bureau of Prisons may inquire with their case managers, who will be able to quickly access the Lookup Feature and provide an immediate response to the inmate without writing to us. Since the only information that this office is able to disclose about a pending matter is whether it is pending or not, we are now sharing as much information as possible through this feature. As a result, PARDON may not respond to requests for information readily available in the Clemency Lookup Feature.

NOTICE

As of **April 30, 2018**, all status inquiries and confirmation of pending cases should be confirmed by using the Lookup feature. As of **December 2019**, all status inquiries and confirmation of any case submitted since 1989 should be confirmed using the Lookup feature. Please see our Privacy statement regarding commutation cases at <https://www.justice.gov/pardon/file/960571/download> and pardon cases at <https://www.justice.gov/file/1113616/download>.

Was this page helpful?

Yes No